Est II State Servants

1953. **File No.** 53

Legal Dept

C BRANCH

Subject:— Establishment matters relating to State Servants

P=145

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File No. Est II State Servants 53

Gen. 194 e.

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Fixation of pay and seniority of servants of the merged States.

GOVERNMENT OF BOMBAY.
POLITICAL AND SERVICES DEPARTMENT.
Resolution No.2735/46-II
Bombay Castle, 15th December 1952

Read Government Resolution, Political and Services Department No.2735/46-II dated the 5th July, 1951.

Resolution- In supersession of the orders issued in the Government Resolution Political and Services Department No. 2735/46-II dated the 5th July, 1951 Government is pleased to direct that the seniority of ex-States servants absorbed in the Bombay Government service whose pay is fixed under Rule 7 of the Rules laid down in Government Resolution Political and Services Department No.2735/46-II dated the 20th May 1949, read with Government Resolution Political and Services Department No.2735/46-II dated the 22nd March 1952 should be fixed on the basis of the pay that would have been admissible to them under Rule(3)(1) or (3) (2) of 4 of the Rules laid down in Government Resolution, Political and Services Department, No.2735/46-II, dated the 20th May, 1949, as the case may be, had their initial pay been fixed under that rule.

By order and in the name of the
Governor of Bombay.

Sd/-S.G.Desai

Deputy Secretary to the Government of
Bombay.
Political and Services Department.

To
The Secretary to the Governor,
The Secretary, Bombay Public Service Commission,
The Secretary to the Chief Minister,
The Accountant General, Bombay (through the Finance Department),
The Deputy Accountant General, Bombay (through the Finance Department),
The Finance Department,
*The Prothonotary and Senior Master, High Court, Bombay,
*The Registrar, High Court, Appellate Side, Bombay,
All other Departments of the Secretariat,
All Collectors,
All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat,

*By letter.
No. of 1952.

Copy forwarded for information and guidance to

VHB
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R.I.No.314604. 7-2-53
Legal Department.

Submitted.

2.Shri R.D.Hora was absorted in the Legal Department as a Senior Assistant in the grade of Rs.210-15-300 with effect from 13/8/1949,His pay as such was fixed at Rs.240/-p.m.with effect from the date of absorption i,e.13/8/1949.The dates of increments being 13/8/50,13/8/51 etc.,Shri Hora was provisionally confirmed as Senior Asstt.with effect from 1-1-1950.Subsequently in April 1950 he was transferred to Mehsana as Asstt.to the Register of Money-lenders in the grade of Rs.200-10-300. The Dy.A.G.,Baroda has taken objection to his drawing pay at the rate of Rs.240/- p.m. He states that Shri Hora's pay should be refixed by Govt. under Rule 42 of the B.C.S.Rs on his transfer from Bombay to Mehsana in the grade of Rs.200-10-300.

3.The formula for the fixation of pay from the city scale to pay in the mofussil scale is to deduct 4/5th of the Comp. Allowance and H.R.A.admissible to the particular person,had he been appointed to a post in the city scale in a mofussil office, with the next lower stage in the scale .The rate of C.I.A. and H.R.A.admissible on Rs.230/-(next lower scale than his pay of Rs.240/-) is Rs.17-8-0 and Rs- 20/-respectively.

4.On the basis of the above formula,Shri Hora's pay in the mofussil scale will have to be fixed at Rs.210/- with effect from 29/4/50, the date on which he was transferred to Mehsana and at Rs.220/-with effect from 13/8/50,the normal date of his increment.

The F.D.may see and forward the papers to the D.D.for issuing the orders fixing Shri Hora's pay in the mofussil-scale.

VHB
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Sd/- 11.2.53

Supdt. Sd/- 11.2.53

Secy. Sd/- 11.2.53

U.R. to F.D. No. 2832/c. d/- 13.2.53
D.D

The period of the Local Rules and Orders branch was being extended from time to time. By G.R.L.D.No.802 dated 12th January 1951 that branch is continued up to 31st March 1951. The strength of the branch consists of-

One Superintendent,

One Senior Assitant,

One Junior Assistant,

One Clerk and

One Typist.

As a result of abolition of this branch with effect from 31st March 1951, the personnel holding the posts in L.D. will be as follows:-

Senior Superintendents. - 4.

1.Shri David,

2. " Dhurandhar,

3. " Dhotre,

4. " Deshmukh.

Junior Superintendents. - 5.

1.Shri Nadkarni,

2. " Paranjpe,

3. " Parikh,

4. " Kulkarni,

5. " Velankar.

Senior Assistants. - 9.

1.Shri Pradhan,

2. " Bora,

3. " Rege,

4. " Patil,

5. " V.R.Chitnis,

6. " Inamdar,

7.Shrimati Benjamin,

8.Shri Baria,

9. " Bindra.

Junior Assistants. - 11.

1.Shri Deshpande,

2. " Chaudhari,

3. " Tathawadkar,

4.Kumari D'Mello,

5.Shri Chitre,

6. " A.D. Chitnis,

7. " Dai,

8. " Neogi,

9. " Majumdar,

10. " Makhijani,

11. " Paradkar.

Since Shri Bege has proceeded on leave, Shri Chaudhari will continue to officiate as Senior Asstt. till 19-5-1951, and in his place Shri Parwani will continue to officiate as Junior Asstt. till that date. As Shri Majumdar is also on leave, Shri Patel will continue to officiate as Jr. Asstt. till 14th May 1951.

As Shri Parwani is also on leave at present, Shri Mantri is officiating vice him and will continue to officiate till 29th instant. From 30th he will revert to the Select list of the Political and Services Department. Shri Chopra, who is the last man, will be discharged on the 30th of this month. There being no officiating arrangements in ordinary course, Shri Chavan and Kumari Mansukhani will have also to be discharged.

In the Charity Commissioner's Office following posts are created:-

1. Junior Superintendent,

1. Stenographer,

3. Clerks (one with deputation allowance.),

The following posts are however vacant:-

1 Stenographer and
2 Clerks.

From 1st April it is proposed that one of the clerk typists working in L.D., who is likely to be discharged from 31st, will be made available to the Charity Commissioner as desired by him.

VHR
2/8
4 C

I-A/16-3

Addl. Secy

I-A/16-3 Secy

I am afraid that the case of seniority of States servants vis-a-vis members of the L.D. staff will require further consideration before final orders are passed.

2. Taking first the case of the seniority of Shri V.R. Chitnis vis-a-vis members of the L.D.,-

On 23-7-1949 a communication was received from the P & S.D. for taking steps to absorb Messrs. Kamade, Kulkarni and V.R. Chitnis in the Legal Department. Mr. V.R. Chitnis was recommended by the Public Service Commission for a Ministerial post either as a Head Clerk in some Office or Senior Assistant in the Bombay Secretariat. On 12-8-1949, Shri Chitnis reported to duty in the Legal Department. Although he was recommended for the post of a Senior Assistant Shri Chitnis was appointed only as a Junior Assistant and drew the pay attached to that post. On 24-11-1949 i.e. nearly after 3 months, a vacancy arose in the post of a Senior Assistant and the question of promotion to the post of the States Servant vis-a-vis a member from the Legal Department staff, namely, Miss D'Mello arose. Miss D'Mello's pay at that time was Rs. 140/- p.m. while that of Shri Chitnis was Rs.200/- p.m. Yet, inspite of this fact the Secretary passed orders that Miss D'Mello should be given the temporary promotion and she was accordingly appointed to officiate as Senior Assistant in the temporary vacancy that had then arisen. Another temporary vacancy in the post of a Senior Assistant occurred in December 1949, but on that occasion the question was between Shri Chitnis and Shri Pai a Junior member in Legal Department and Secretary at that time ordered that as compared to the States Servants Shri Pai was Junior, Shri Chitnis should officiate as the Senior Assistant. On 31-1-1950 Shri Chitnis reverted to the post of a Junior Assistant. Shri Chitnis again officiated as Senior Assistant from 20-4-1950 to 23-5-1950 and on 24-5-1950 he again reverted as Junior Assistant. During all this period Shri Pathavadkar, Shri Chaudhari and Shri Patil were officiating as Senior Assistants and their claims were in no way prejudiced by the temporary appointment of Shri Chitnis to the post of Senior Assistant. The above facts will also conclusively prove that Shri Chitnis was taken

up in the Legal Department not as a Senior Assistant but only as a Junior Assistant.

3. The question of seniority of the States servants to be absorbed in L.D., vis-a-vis the members of the L.D. staff was discussed by the Secretary (Shri Lad) with me when the question of taking up Shri Moratti, a State Servant, was considered and so far as I know Secretary was definitely of the view that the absorption of the States Servants should not in any way prejudice the prospects of L.D. members. Secretary was very anxious to see that the appointment of the States Servants should not result in injustice to the L.D. staff. The main consideration which weighed with the Secretary at the time was that if the Re-organisation scheme (Slip A) had to be postponed, but that should not be considered, he thought, as prejudicially affecting the legitimate claims of the members of the L.D., staff. Accordingly, he has recorded the following note while forwarding the papers regarding Shri Moratti's appointment to P & S.D.,-

> "He (Shri Moratti) was told that he would be given the Senior Assistant's post subject to the claims regarding seniority of those who were recruited originally with him and two others who were next below him when he was recruited. That should satisfy him and that involves no injustice to the L.D. staff.

Shri Moratti, it should be pointed out, had joined the Legal Department in 1943 and left in 1945. He was thus in the Legal Department for over an year during which period his work was found satisfactory. After he left the Department he was, I understand, taken over as a Civil Judge by the Sangli Government and later on appointed as a Registrar of the Sangli High Court. Although Shri Moratti's work was very much appreciated and L.D. was in need of such a competent hand, Secretary was not agreeable to appoint him to a post in L.D., which might prejudice the claims of members of the L.D., staff. The P & S. Department apparently agreed with the Secretary

Slip A

mbers concerned would have been appointed to the posts to they had claim and then the question of States servants vis the members of the L.D.staff would not have arisen. e reason or the other, the Re-Organization scheme

and passed orders that Shri Marathe's seniority vis-a-vis other Government servants in the Legal Department would be that he would rank below the persons who were senior to him at the time of his recruitment in the Legal Department, and two other persons, junior to him at that time. The two other persons, to whom a reference was made in the Secretary's note and the P & S. Department's memorandum, were Shri Chaudhari and Shri Tathavadkar. It appears from the Assistant Secretary's note of 9-1-51 that Secretary had passed orders that Shri Chitnis should be taken up as a Senior Assistant, but at that time the question of seniority vis-a-vis other members of the L.D. staff does not appear to have been considered. If, as now proposed in the Assistant Secretary's note of 16-3-1951, Shri Chitnis is given the post of the Senior Assistant, the claims of Shriyuts Chaudhari, Tathavadkar, Patil and Shrimati D'Mello will be seriously affected and that would result in great injustice.

4. I have not dilated on the question of appointment of Shriyut P.Y. Inamdar because his case is simpler. In L.D. Memo No. 7778 dated 8-6-50 Shri Inamdar was clearly told that he would be tried as Junior Assistant in L.D., on probation for 3 months, and that if his work was found satisfactory, he would be promoted as a Senior Assistant. It is clear from this memorandum that he was not taken up in L.D., as a Senior Assistant but only as a Junior Assistant, and then promoted as Senior Assistant.

5. Taking into consideration all the relevant facts I think that neither Shri Chitnis nor Shri Inamdar can be allowed to supersede Shri Patil, Shri Chaudhari, Shri Tathavadkar and Shrimati D'Mello. I have not seen the work of Shri Patil, Shri Chaudhari and Shrimati D'Mello, but I can, without hesitation, say that Shri Tathavadkar's work is quite satisfactory. Besides, he possesses higher academic qualifications. He is an M.A., LL.B., and there is no reason why he should be superseded by Shri Chitnis and Shri Inamdar. If the intention is that both Shri Chitnis and Shri Inamdar should be appointed as Senior Assistants it may be possible to appoint them to those posts when the Re-organisation scheme of this department is implemented to its full extent and comes into full force. But

in any case they will have to take their place below Shri Patil, Shri Chaudhari and Shri Pathavadkar and Miss D'Mello.

6. The P & S.D? may see before orders are issued. VHB 3/8 4 C

Ld/30

I agree Ka/31-3

Secy

Memo PL & D No. 5229 dated 2-4-51

Political and Services Department

The question raised in L.D.papers under submission is regarding fixation of seniority of two ex-state servants viz. Shri V.R.Chitnis and Shri ~.Y.Inamdar vis-a-vis Government servants working in that Department.According to rule 6 of the Rules for fixation of pay and seniority of state servants laid down in G.R.,P & S.D.No.2735/46-II dated 26-5-49,seniority of State servants vis-a-vis Govt.servants is fixed on the basis of initial pay of state servants fixed under those Rules and substantive pay of Govt.servants.It has been separately proposed that this rule should be modified on the ba is of ruling given in A & F.D.case to the extent that Government servants with higher pay who are officiating and who are not likely to revert should be treated as senior to state servants absorbed in the same cadres,irrespective of whether or not their pay is substantive

The L.D.may be advised to fix the seniority of Shri Chitnis and Shri Inamdar in ac ordance with the general principles mentioned above.2.The P.S.C.recommended Shri Chitnis for the post of Head Clerk in some office or senior Assistant in the Bombe Secretariat-vide 'A' on page 5 ante.Shri Inamdar was recommended for the post of a Shiresteder of a Distri t Court or as a senior Assistant in the Secretariat vide 'B' of L.D. note dated 18-4-50 in L.D.File No.EST-II kept below. Please see in this connection L.D.notes at slip Z below.It will be seen from A.S.,L.D.'s note dated 9-1-50(page 9 slip Z below) that Shri Chitnis'has been absorbed as senior Assistant as recommended by the P.S.C. His seniori y will have therefore to be fixed in ..A.'s grade. As regards Shri Inamdar it appears that he was kept on probation for a period of three months during which period he worked as Junior Assistant with the condition that if his work is found stisfactory he would be promoted as S nior Assistant. After his pro ationary period,he has been appoi ted as Senior Assistant as recommended by the P.S.C.He has therefore been absorbed as Senior Assistant and his seniority should be fixed in the Senior Assistant's grade.

3.As regards paras 6 and 7 of L.D.note of pages 6and 7 ante it may be mentioned that Shri Horatti's case stood on a different ~~pointing~~ footing in as much as he was working in L.D.from 1943 to 1945.Had he been absorbed his seniority would have also been passed in accordance with the general principles ment ned in para 1 over leaf.

Sd/. (Thro' D)
5-4-51. Both Shri Chitnis and Shri Inamdar were recommended for appointment as Sr.Asstt.If for administration reasons they were initially appointed as Jr.Asstt.s (in foot D.S.in one of the P.S.C's recommendations the ~~G.S.~~ appointment as Jr.Asstts.does not seem to have been in order)That shall not operate against them and ~~scrutiffy~~ Scrutiny their absorption as Sr.Asstts. By the absorption of State servants several persons in almost all Deptts.have been adversely affected but that seems to be the reason for ~~diprioty~~ depriving The State servants of the seniority to which they are ~~utilized~~ entitled under the ~~principle~~ prescribed rules.

L.D. ~~may~~ may be ~~advised~~ accordingly to fix the seniority of Shri Chitnis and Shri Inamdar ~~only~~ accordingly to the ~~principle~~ prescribed rules as if they ~~will~~ were absorbed in the cadre of Sr.Asstts. from the beginning

Sd/.
10-4-51 According to the recommendation of the P.S.C. Shri Chitnis and Shri Inamdar have to be absorbed as Sr. Asstts.If L.D.is of the opinion that they are not ~~seem~~ suitable to be for absorption as Sr.Asstts.it will be necessary to address the P.S.C and ~~xxxx~~ that body that they can not be abso -rbed as Sr.Asstt.They can not be appointed to lower posts of Jr.Asstts.merely to safeguard the interests of other members of the L.D.

Sd/. 10-4- C.S.

Could not this ~~can be commended~~ case be considered along with the cases of other merged state servants absorbed in other Departments of Secretariat?

I should like to have a ~~compainting~~ Comparative statement stating the names of merged states persons in L.D.their qualifications and the dates of their appointment in L.D. and of all their appointment in the merged states service. The salary drawn by them at the time of integration and the

scale of pay should be given along with the salary and the ~~scale of pay should be given by Government~~. Are they not bound to see that ~~primarily~~ financially they do not suffer by merger. As regards A on page 8 will it be ~~opinable~~ possible to say when the regrganisation scheme will be fully implemented.
Sd/.
11/4

As regards para 1 of C.S.'s foregoing note, it may be stated that the general question regarding absorption of ex-state servants at present working in temporary posts in the Secretariat Departments, (including L.D.) in permant posts is being considered separately. The question raised in these papers is however different i.e. whether or not the two ex-state servants absorbed in L.D. viz. Shri Chitnis and Inamdar ~~shall~~ should be absorbed as Sr. Asstts. as recommended by the P.S.C. and their seniority fixed accordingly

2. The papers may be referred U.O. to the L.Deptt. for furnishing the information required by C.S. in para 2 of the note on pre page.

Sd/
12-4-51

U.O.R. to L.Deptt.

12-4-51

VHB
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Legal Department.

Submitted with reference to U.R.from P & S.D.on page 12 ante.

2.The information required by the Chief Secretary has been compiled and is put up at pages 15-21ante.With reference to 'A' on p.8 ante it may be stated that the reorgainsation scheme of this Department has since been fully implemented.

The papers may be forwarded U.O.to the P & S.D.
S.S.

A.S.(ADM).
DS.(LEGIS.)

Please have two separate columns, one showing the scale of pay and the other pay drawn (at the time of integration and allowed by Govt.)
Please put up a clear typed copy of the statement prepared accordingly.)

Sd/-
21/4

C Submitted.
As desired by the D.S.(Legis.)a clean typed copy of the statement is sent herewith p.23 part.

S.S

A.S

D.S.

This recommended on the day I left for Delhi.Before I sailing the statement prepared I should like to know the posts which Messrs.Chitnis and Inamdar are appointed after the full implementation of the Reorgainsation.

Sd/.
15/5 Resubmitted with ref.to D.S.'S above note.

In the reorgainsation scheme Shri V.R.Chitnis has been comfirmed provisionally as Senior Asstt.with effect from 1st Sept.1950 and Shri P.Y.Inamdar as Junior Asstt.from 30th June 1950 the date on which he was absorbed in L.D.

Sd/,
19/1 On 1/1/50 Shri V.R.Chitnis was Junior Asstt.but was promoted & confirmed as Senior Asstt.provisionally from 1/9/50. While Shri Inamdar has been comfirmed as Junior Asstt.from 30/1/50 the date on which he was absorbed in L.D.

The Statement I am afraid is incomplete.It does not contain the

dates of all the appointments of the States servants in the merged states Service.

Sd/29.5

A.S. (Admn.)

S.No.	Name	Qualification	Appointments held in the state from time to time till merger	Date of absorpti -on in L.D.	Pay scale in the state service prior to the ntegration of the State
1	Shri B.V. Paranjpe (Baroda)	B.A.LL.B.?	1.Extradition clerk,High Courtof Baroda 2.Clerk.3.Asstt. Shirastedar.4. Head Clerk.5. Reader. 6.Head clerk Legal Remembrancer's Office, Baroda 7.Shirastedar Judicial Branch 8.First Asstt. Legal Remembrancer 9.Mahal Nyadhish, Visnagar,Dabhoi etc.10.Asstt. Legal Remembrancer Baroda.	19/9/49	Rs.200-20/2-400
2	Shri R.D. Hora(Baroda)	B.A.LL.B.?	1.Asstt.Shirastedar 2.Madat Sahakari Adhikari & Asstt. Textile Comm. 3.Shirastedar.	13/8/49	Rs.150-10/2-300
3.	Shri M.M. Chitre (Baroda)	B.A.LL.B.,	1.Karkun.2.Asstt. Shirastedar3.P.A. to H.D.the Diwan 4.Shirastedar.	16/8/49	Rs.150-10/2-300
4	Shri K.Y. Ketkar (Baroda)	Matric	1.Typist 2.Asstt. Shirasteda Rev. Branch 3.Senior Clerk 4.Accountant 5.Typist	1/8/49	Rs.50-5/2-80-10/2 -1 0
5	Shri K.G. Madhakar (Baroda)	-do-	1.Karkun 2.Typist	27/8/49	Rs.50-5/2-80-10/ 2-100
6	Shri V.M. Tarabadkar (Baroda)	-do-	1.Stenographer&Per -sonal Clerk 2. Personal Clerk to Postwar Reconstru -ction Member.3 Personal Clerk Stenotypist 4 Stenographer to Agricultural Comm.	1-8-49	Rs.120-10/2-200
7	Shri M.A. Patel (Baroda)	-do-	1 Typist 2Steno- -typist	21-11-49	Rs.120-10/2- 200
8.	Shri R.M. Shirapurkar (Baroda)	-do-	1 Clerk Prece 2Stationary 2 " -typist Pol & Def	1- -49	Rs.120-10/2-200 inB.L.D 85/9/49

Pay drawn at the time of integration of the States.	Pay Scale of the post in which absorbed in the Bombay Secretariat	Pay allowed in the Bombay Secretariat	Remarks
Rs. 250/-	Junior Supdt. Rs.320-20-440	Rs.320/-	
Rs. 210/-	Senior Assistant Rs.210-15-300	Rs-210/-	Subsequently transferred Asstt. Registrar of Money Lender
Rs. 190/-	Junior Assistant Rs.120-10-250	Rs.190/-	
Rs.90/-	Typist Rs.75-5-140-8-220 Plus usual typing allowance	Rs.90/- Plus 15 Typing Allowance	
Rs. 50/-	-do-	Rs.75/- Plus 15 Typing Allowance	
Rs. 120/-	Stenotypist 75-5-140-8-220 Plus usual typing & short Hand Allowances	Rs.120/- plus 30/- short Hand alloc. plus 15/- Typing alloc.	On deputati to Embas in Afric
Rs. 120/-	-do-	-do-	
Rs.120/-	-do-	-do-	First allotted the Bom. Legislat Deptt.f 1-8-49. Subsequ transfe to L.D. 5-9-49

S.No.	Name	Qualification	Post held in the State from time to time till merger	Date of absorption in L.D.	Pay scale in the State Service prior to the integration of the State
9	Shri H.S. Shastri Patwardhan (Baroda)	Metric	1.Typist-clerk 2.Stenographer 3.Stenotypist on surplus list to be absorbed 4.Clerk D.S.O.Office Baroda	13-2-50	Rs.150-10-200
10	Shri C.S. Trivedi (Baroda)		1.Karkun 2.Librarian	20-8-49	Rs.50-5/2-80-10/2-100
11	Shri K.C. Parikh (Rajpipla)	B.A.LL.B.,	1.Special Land Mutation Officer 2.Special Duty Officer 3.P.A.to Divan and Special Duty Officer.	1-12-49	No grade

Pay drawn at the time of integration of the State	Pay scale of the post in which absorbed in the Bombay Secretariat	Pay allowed in the Bombay Secretariat	Remarks
Rs.160/-	Typist 75-5-140-8-220 plus usual typing allowance	Rs. 160/- plus 15/-Typing Allowance	
Rs. 55/-	Typist 75-5-140-8-220 plus usual typing allowance	Rs. 75/- plus15/- Typing Allowance	Subsequently transferred to Clerical line.
Rs. 350	Junior Supdt. Rs.320-20-440	Rs.360/-	

S.N.o.	Name	Qualification	Posts held in the state from time to time till merger.	Date of absorption in L.D.	Pay Scale in the State Service prior to the integration of the State
12	Shri D.G. Kulkarni (Aundh)	M.A.LL.B.,	1.Head Clerk,Huzur office 2.Head Clerk Aundh and Sub.Judge Kinahi and Magistrate Class III Aundh 3. Deputy Chitnis and MegistrateClass I 4.Huzur Secretary & D.M.Aundh 5.Huzur Secretary and D.M. Aundh(Senior Secy). 6.Pol.Secy.&D.M.7. NayadhishKundal & Aundh D,M.8.Nayadhish Kundal Aundhetc.,Nayadhish and Magistrate Class I 9.Pol.Secy.Aundh 10. Registrar,High Court, 11.Administrator,Aundh 12.Pol.Secy.Aundh.	8-8-49	Rs.150-5- 250
13	ShriV.R. Chitnis (Janjira)	B.A.LL.B.,	1.Attache to the Munsif of Janjira 2.Munsif and IInd class Magistrate, Japharabad.3.Special Ist cl.MagistrateJanjira 4. Addl.Huzur Chitnis 5. Under Secy,to H.H.The Nawab.6.Addl.Secy, -do- 7.Secy. -do- 8.Secy.to Administrator.	12-8-49	Rs.200-20/2-300
14	Shri A.D. Chitnis (Kolhapur)	B.A.LL.B.,	1.Supdt.to Hon.Educ. Minister. 2.Clerk of the Court	26-9-49	Rs.125-10/2-175
15	ShriP.Y. Inamdar (Aundh)	B.A.LL.B.?	1.Inam Inquiry Councillor 2.Inam Comm.	30-6-50	Rs-150-5-200
16	Shri R.D. Khandekar (Kolhapur)	Metric	1.Stenographer,Prime Minister's Office 2. P.A.to Prime Minister	11-7-49	Rs.125-15/2-245
17	Shri G.B. Joshi (Baroda)		1.Typist 2.Karkun 3.Stenographer (Gujarati)	22-8-49	Rs-60-5/2-80-10/2-100

Pay Scale at the time of integration of the State	Pay Scale of the post in which absorbed in the Bombay Secretariat	Pay allowed in the Bombay Secretariat	Remarks.
Rs.120/-	Jr. Supdt. Rs.320-20-440	Rs.320/-	
Rs.200/-	Junior Assistant Rs.120-10-250	Rs.200/- Rs.210/- as S.A.	Subsequently promoted as Senior Asstt. in the grade of Rs.210-15-300
Rs.135/-	-do-	Rs.135/-	Pay finally fixed at Rs.190+2 personal pay.
Rs.165/-	Junior Assistant Rs.120-10-250	Rs.165/-	After 3 months of probationary period appointed as Senior Asstt. on Rs.210/-
Rs.155/-	Stenographer Rs.180-10-310-15-400	Rs.180/-	Pay finally fixed at Rs. 200/-
Rs. 60/-	Typist Rs.75-5-140-8-220 plus usual typing allow	Rs.75/- plus 15/-Typing allowance	Subsequently transfer— to the Bombay Legislature Department.

Note:- Excepting in the case of Shri A.D.Chitnis and Shri R.D.Khandekar the pay of State Servants has not still been fixed finally. The question of final fixation of their pay has been separately referred to P & S.D. and A.G., Bombay.

Provisionally pending the final fixation they are allowed to draw the same pay which they were drawing prior to the merger of States. In case of State servants who were drawing less than the minimum of the grade in which they are absorbed, they are allowed minimum of the said grade. Those State servants who were drawing more than the minimum of the grade in which they are absorbed they were allowed the same pay which they were drawing in State Service.

Submitted.

The question of seniority of Shri V.N.Chitnis and Shri P.Y.Inamdar Vis-a-Vis some of the members of L.D.staff proper,namely Shri Patil,Shri Chaudhari,Shri Tathavadkar and Kumari D'Mello is at present under consideration in L.D.in consultation with the P & S.D.

In the mean time two things have happened which,we fear,might prejudicially affect our case and hence wish to bring to the notice of the Secretary.

Under rule 2(b) of the Rules for fixation of Pay and seniority of State Servants "cadre"means the post in State service the responsibilities of which are certified by the Head of the Department to be not less than those of the post in which the State servant is absorbed.The certificate thus plays an important part in fixing the pay and seniority of the State servant in that if it is granted his pay will be fixed under rule 3 and if it is not granted it will be fixed under rule 4 of the said rules.Under rule 4 if a State servant has not held any post in a State Cadre as defined in rule 2 he shall be given the stage in the prescribed scale next above his present pay(=basic pay drawn in the service on the date of absorption),if the latter is his substantive pay, and otherwise,the minimum of the prescribed scale.Shri Inamdar it appears joined the State service in 1946 and his pay at the time of absorption was Rs.165/-.On the date of his absorption Shri Patil,Chaudhari and Tathavadkar had put in more years of service than he had put in as they joined L.D.in 1943 and 1944 respectively..Their pay also at the time of his absorption was Rs.210/-or more as all of them were acting as Senior Assistants.Consequently if such certificate is not granted it appears that Shri Inamdar will get his pay under rule 4 only which will place him below Shri Tathavadkar under rule 6 of the said rules.

We however,understand that G Branch has recently obtained such a certificate in respect of Shri Inamdar from the Additional Secretary and the papers have been

referred to the Accountant General.In a matter of fact this question of obtaining the certificate was not considered by that branch when they fixed provisionally the pays of Shri Chitnis and Tendar at Rs.255/- and Rs.253/-,which were, it appears,accepted by Accountant General then.We submit that granting the certificate at such a late stage when the question of seniority is being considered prejudicially affects our case.We would therefore request Secretary to kindly reconsider this question of certification under rule 2.

The question regarding the fixation of pay of Shri V.R.Chitnis also appears to have been referred to L & L.D. We do not know whether these papers were submitted to Secretary prior to their sending to P.S.D. We also do not know whether his pay is being fixed under rule 3 or rule 4.It is understood that the certificate in his respect has not yet been obtained.We would,however, like to point out the following facts.Shri Chitnis appears to have joined the Janjira State service in 1942 on Rs.65/- Two months prior to the merger i.e.in January 1948 his pay was Rs.125/-only.On the 8th March 1948 the administration of the State was taken over by the Bombay Government and in February 1948 Shri Chitnis's pay was raised from Rs.125/-to Rs.200/- with a change in the designation.We understand that Government has not recognised all such abnormal increases in the pay of State servants but have fixed it after considering such increase on its merits.We do not know whether this fact has been taken into consideration By Branch while suggesting the fixation of his pay to Rs

In the circumstances we submit these facts for the consideration of the Secretary for such action as he deems necessary.

Advance copy submitted for information

D.S. (Legis)
D.S.(Civil)
A.S.
Secy.

The whole question of the seniority of L.D.members vis-a-vis the State servants is under consideration in a separate file.In the meantime nothing should be done which might prejudicially affect the claims of L.I.members.If and D in the ~~representation~~ representation the made are collect the papers should be recalled at once.

Sd/- 2/6 DS (Civil) Sd/- 2/6

Addl. Secy.: This R.A. may deal with this
R.A.
But what I cannot understand is why the matter case still is being delayed.

Sd/-
4/6

Submitted with reference to Secy's note overleaf.

There are two cases one relating to the fixation of pay of State servants and the other fixation of their seniority vis-a-vis the L.D.members.The former has been referred to the P & S.D.and the A.G.Bombay.In regard to the latter case the Chief Secy.has called for certain information in respect of the state servants absorbed in L.D.All the information required by the Chief Secy,has been compiled in the statement at slip ~~Z~~X.Except the dates of all the appointment of the State servants in the merged States.For compiliation of this information it is necessary to refer to their service-books.Some of the service books have been forwarded to P & S.D.and some to A.G. Bombay in the case of fixation of pay of State servants.The case has therefore to be held over pending the return of the said cases from the P & L.D.and A.G.

As regards the representation it is submitted that the intention underlying the statements at 'A' and 'B' is not correct.In the pay fixation case it has been proposed to fix the pay of Shri Chitnis and Inamdar as Junior Assistts. as per orders of Secy and not as Senior Assistts. as has been represented by Tathwadkar and others.Shri Chitnis and Shri Inamdar were recommended by the P.S.C.for absorption as Sr. Asstts.They were however,actually asked to work as J.As.Shri Chitnis entered L.D.on 12th August 1949 and his pay was drawn in the J.A.'s scale.He,however,acted as S.A.on two occasions for a short time.Shri Inamdar entered L.D.on 30-6-50 as J.A. On 1st Oct.1950 he was promoted as S.A.In the reorganisation scheme Shri Chitnis has been confirmed as J.A.from 1-1-1950 Shri Inamdar from 30-6-1950.Shri Chitnis has also been confirmed provisionally as S.A.from 1-9-50-Since both Shri Chitnis and Inamdar are absorbed as Junior Asstts.the questi of fixing their pay as S.As.does not arise unless they are appointed as Senior Asstts.as recommended by the P.S.C.from

dates they joined L.D.So long as this is not done the seniority of L.D.members does not affect in any way.There is no cause for making any representations.

VHB
3/6
4 C

sdf 7/6
S.S. sdl- 7/6
AS-(A.D.M.)

Though Shri Chitnis and Inamdar were recommended for absorption as Senior Assistants by the Public Service Commission they were in fact absorbed as Junior Assistants in L.D.and have been confirmed as such with effect from 1-1-50 and 30-6-50 respectively.In the chain of promotions in the Reorganisation scheme,Shri Chitnis has been provisionally confirmed as Senior Assistant with effect frin 1-9-50

2.Accountant General has already given a ruling that as Shri Inamdar was taken as Junior Assistant,his pay should be fixed as Junior Assistent only.Accordingly a reference to P & S.D. in the case of Shri Chitnis and a reference to the A.G.in the case of Shri Inamdar have been made for fixation of their pay as Junior Assistants.

3.In view of the detailed position stated above the applicant should not have made the representation without ascertaining the correct position from C Branch as the claims of the applicants are in no way affected as made out in them.

D.S.(Legis)
A.Sec'y
Secy.

If A above be the position Messrs.Thatvadkar and Chaudhari have no reason to fear.C of the representation (p.2)need not there be raised.

sdf 15/6.

Addl. Secy
Sd/-
15/6

Secy.may deal with this. Sd/- 25/6

Secy. L.D. sdf 25/6

Submitted with ref to D.S.'s note on p.14 and 'BB' of office note on p.28 ante.

The serice books of the State servants which were sent to the P & S.D. and the A.G. have since been received.

2.A fresh statement with the necessary information as required by the Ch.Secy,has been prepared and is put up at Pages 33-42 ante.The P & S.D.may also be informed with ref.to 'A' on p.8ante that the reorganisation of the Deptt.has since been fully implemented.

Sd/- 8/8
S.S. Sd/- 8/8
As (Adms) Sd/- 10/8
D.S. (Legis)

All the services books are put up below.

I had asked to check up the statement, prepared by C.It took such a long time for C to prepare the statement and office to check it up.It may now be sent to the P & S.D as desired in para 2 of that Deptts.note at p 12 ante.

VHB
4/8
4 C

Sd/- 12/9

Secy. Sd/- 13/9

U.R.to P & S . D .No.147445 dt 17th Sept.1951.

S.No.	Name	Qualification	Appointments held in the State from time to time till merger.	Dates of appointments held in the State from time to time till merger.
1	Shri B.V. Paramjpe (Baroda)	B.A.LL.B.,	1Offg.clerk in the Extradition Branch High Court, Baroda.	17th May 1926
			2Clerk in the High Court, Baroda.	1st July 1926
			3Offg.Shirestadar in the High Court, Baroda.	1st January 1927
			4.Shirestedar in High Court.	1st March 1927
			5.Offg.Shirestedar (Civil)	14th Nov. 1927
			6Offg.Head Clerk in the High Court.	10th July 1928
			7Reader in the High Court(sub protem)	1st July 1930
			8 -do-	2nd January 1933
			9Head clerk in the High Court	1st [illegible] 1937
			10Offg.Head Clerk in the R.L.A.'s office	21st Feb, 1938
			11 -do-	16th July 1940
			12Shirestedar in the Law Department.	15th Oct. 1940
			13Offg.2nd A.L.R.	19th May 1941
			14Offg.1st A.L.R.	30th Mar.1942
			15Civil Shirestedar	28th Oct.1943
			16Civil Judge, Okha	9th Nov.1943
			17Offg.1st class Magistrate, Visnagar	17th Jan.1944
			18Civil Judge, Visnagar	19th Feb.1944
			19Addl.Civil Judge , Dabhoi(Provisionally confirmed)	19th April 1944
			20Offg.Civil Judge, Sankheda	1st July 1944
			21Civil Judge, Sankheda	24th July1945
			22Asstt.Legal Remembrancer Baroda	16th Aug. 1945
2	Shri R.D. Hora (Baroda)	B.A.LL.B.,	1 Asstt.Shirestedr, Huzur Political Kacheri(Sub Protem)	21st April 1938
			2 -do- (Permanent)	18th July1939
			3 Offg.Senior Shirestedarr	25th Dec.1945
			4 Offg.Addl.Coop.Officer and Asstt.Textile Commr. Baroda	23rdNov 1948 Reverted as Shirestadar on 1-5-49
3	Shri M.M. Chitre (Baroda)	B.A.LL.B.,	1Offg.Barnishi Clerk	25th Jan.1937
			2Barnishi Clerk	1stJuly 1938
			3Asstt,Shirestedar	3rd Feb.1939
			4Offg.P.A.to Divan	9th May 1943
			5Offg.Shirestedar	1st Jan.1944
			6Shirestedar(Sub Protem)	5th April 1945
			7Shirastedar (Extra)	1st Aug.1946
			8Asstt.Shirastedar	14-11-1946
			9Addl.Shirastedar	1st Aug.1946
			10Shirastedarr	9th Feb.1948
4	Shri K.Y. Ketkar. (Baroda)	Matric	1.Temp.Typist	20thDec.1934
			2 Offg.Typist	1st Aug.1937
			3 Typist	19th Jan 1938
			4Offg.By.Rev.Shirastedar	25th May 1946
			5 Senior Clerk	7th Nov,1946
			6 Accounts Clerk in R.L.A.'s office	1st Aug.1947

Date of absorption in L.D.	Pay Scale in the State Service prior to the integration of the State	Pay drawn at the time of integration of the State	Pay Scale of the post in which absorbed in the Bombay Secretariat	Pay allowed in the Bombay Secretariat	Remarks
19-9-49	Rs.200-20/2-400	Rs.250/-	Junior Superintendent Rs.320-20-440	Rs.320/-	
13-8-49	Rs.180-10/2-300	Rs.210/-	Senior Assistant Rs.210-15-300	Rs.210	Subsequently transferred as Asstt. Registrar of Money Lenders.
16-8-49	Rs.150-10/2-300	Rs.190/-	Junior Assistant Rs.120-10-250	Rs.190/-	
1-8-49	Rs.50-5/2-80-10/2-100	Rs. 90/-	Typist Rs.75-5-140-8-220 plus usual typing allowance	Rs.90/- plus 15 Typing Allowance	

5.	Shri K.G. Medhekar. (Baroda)	Matric	1 Offg.2nd Clerk 2 Offg.Typist 3 Typist	24th Sept.1947 19th May 1948 6th Feb,1949
6.	Shri V.M. Tarabadkar (Baroda)	Matric	1 Temporary Stenographer and personal Clerk 2 Offg.Stenographer and personal Clerk 3 Offg.Personal Clerk to the post war Reconstruction Member 4 Personal Clerk cum Stenotypist(Sub-Protem) 5 Stenographer to Commissioner of Agriculture.	1st May 1941 1st Feb.1943 4th April 1944 1st April 1946 1st July 1949
7.	Shri M.A. Patel (Baroda)	Matric	1.Offg.Typist 2.Offg.Stenotypist	26th Feb.1948 11th Sept.1948
8.	Shri R.V. Shivapurkar (Baroda)	Matric	1.Offg.Clerk in State Press 2.Offg.Storekeeper in State Press 3.Clerk in State Press 4.Typist, Huzur Political Office (Sub Protem) 5.Senior Clerk Huzur Political Office(Sub Protem) 6.Gujarati Stenographer in Assembly Office 7.Offg.English Stenographer in Assembly Office	25th Nov.1938 13th Nov,1934 25th Dec.1935 20th April 1944 14th Nov.1944 1st Oct.1947 26th May 1948
9.	Shri H.S. Shastri Patwardhan (Baroda)	Matric	1.Typist Clerk (offg) 2.Offg.Stenographer 3.Stenographer 4.Stenotypist on surplus list to be absorbed 5.Clerk D.S.O.Office Baroda	7th Sept.1945 1st June 1947 1st June 1948 1st Aug.1949 28th Dec.1949
10	Shri C.S. Trivedi (Baroda)	Matric	1 Offg.clerk,R.L.A.'S office 2 Temp.Clerk 3 Clerk in R.L.A.'s office (Librarian) 4 Surplus in Special Officer's office	8th Nov.1941 23rd March 1942 1st July 1947 1st Aug.1949
11	Shri K.C. Parikh (Rajpipla)	B.A.LL.B.,	1.Special Land Mutation Officer (temporary) 2.Temporaty Special Duty Officer 3.P.A.to Divan and Special Duty Officer	15th Nov,1938 15th Sept,1940 1st April 1944

24-8-49	Rs.50-5/2-80-10/2-100	Rs.50/-	-do-	Rs.75/- plus 15 Typing Allowance		
1-8-49	Rs.120-10/2-200	Rs.120/-	Steno-typist 75-5-140-8-220	Rs.120/- plus 30/- shorthand allowance plus 15/- typing allowance	On deputation to Embassy in Africa	
21-11-49	Rs.120-10/2-200	Rs.120/-	-do-	-do-		
1-8-49 in B.L.D. and 5-9-49 Legal	Rs.120-10/2-200	Rs.120/-	-do-	-do-	First allotted to the Bombay Legislatur Deptt, from 1-8-49 Subsequently transferred to L.D.on 5-9-49	
13-2-50	Rs.150-10-200	Rs.160/-	Typist 75-5-140-8-220 plus usual typing allowance	Rs. 160/- plus 15/- typing allowance		
20-8-49	Rs.50-5-/2-80-10/2-100	Rs.55/-	Typist 75-5-140-8-220plus usual typing allowance	Rs.75/- plus 15/- typing allowance	Subsequ-ent-ly tra-nsf-erred to Clerical line	
1-12-49	No grade	Rs.350/-	Junior Supdt. Rs.320-20-440	Rs.360/-		

12	Shri D.G. Kulkarni (Aundh)	M.A.LL.B.,	1Head Clerk, Huzur Office.	3rd Jan.1933
			2Head Clerk, Aundh and Kinahi Thana Sub-Judge Magistrate Class III	20th July 1935
			3Dy.Chitnis to Sub-Judge, Magistrate Class I	18th Sept.1940
			4Huzur Secy, and D.M. Aundh	21st June 1936
			5Senior Secy.and D.M.Aundh	10th July 1937
			6Political Secy.and District Magistrate	29th May 1939
			7Nayadhish, Kundal and Aundh and District Magistrate	16th Dec.1939
			8Offg.Nayadhish, Kundal, Aundh and Nayadhish and Magistrate 1st class	6th March 1941
			9Political Secy.Aundh	17th Sept.1941
			10Registrar, High Court.	1st April 1947to 28--7-1948
			11Offg.Administrator, Aundh Taluka	6-3-1948
			12Political Secy.Aundh	1st April 1948-
13	Shri V.R. Chitnis (Janjira)	B.A.LL.B.,	1Attache to the Munsiff Court Janjira, Murud	24th June 1942
			2Acting Munsiff & 2nd Class Magistrate.Japhrabad.	Aug.1942
			3Munsiff & 2nd Class Magistrate Japhrabad	25th Sept.1942
			4Spl.1st Cl.Magistrate, Janjira	19th Feb.1945
			5Additional Huzur Chitnis	16th Jan.1946
			6Under Secy, to H.H.Nawab of Janjira	1st July194
			7Addl.Secy.to H.H.Nawab of Janjira	25th Sept'4
			8Secy.to H.H.the Nawab of Janjira	1stFeb 1948
			9Secy.to Administrator, Janjira	1st April'4
14	Shri A.D. Chitnis (Kolhapur)	B.A.LL.B.,	1Supdt.Office of the Education Minister, Kolhapur	4th Jan.1942
			2Clerk of the Chief District Judges of fice, Kolhapur	15th Dec.'43
15	Shri P.Y. Inamdar	B.A.LL.B.,	1Inam Inquiry Councillor	9th May 1946
			2Inam Commissioner, Aundh	15th Oct.1947
16	Shri R.D. Khandekar (Kolhapur)	Matric	1Stenographer in the office of the Prime Minister, Kolhapur	5th Jan 1942
			2P.A.to Prime Minister, Kolhapur	1st Sept.1944
17	Shri G.B. Joshi (Baroda)	Matric	1Typist(Temp.)in R.L.A.'s Office	24th Sept.1941
			2Typist in R.L.A.'s office (Sub-Protem)	6th Jan 1944
			3Typist	6th Jan 1945
			4Typist in Assembly Office	24th Nov 1945
			5Offg.Stenotypist in Gujarati in Assembly office	1st June 1948

8-8-49	s.150-5-250	Rs. 160/-	Junior Supdt Rs.320-20-440	Rs.320/-	
12-8-49	Rs-200-20/2-300	Rs.200/-	Junior Assistant Rs.120-10-250	Rs.200/- Rs.210/- as S.A.	Subsequen -tly promoted as Senior Asstt.in the grade of Rs.210-15-300
25-9-49	Rs.125-10/2-175	Rs.135/-	-do-	Rs.135/-	Pay fixed at Rs.190plus 2personal pay
30-6-50	Rs.150-5-200	Rs. 165/-	Junior Assistant Rs.120-10-250	Rs.165/-	After 3 months of probation period appointed as S.A.on Rs. 210/-
11-7-49	Rs-125-15/2-245	Rs.155/-	Stenographer Rs.180-10-310 -15-400	Rs.160/-	Pay final fixed at Rs.250/-
22-8-49	Rs.60-5/2-80-10/ - 2-100	Rs.60/-	Typist Rs.75-5-140-8-220 plus usual typing allowance	Rs.75/- plus 15/- typing allowance	Subsequch -tly transferr to the Bombay Legislatu Departme

NOTE:- Excepting in the case of Shri A.D.Chitnis and Shri R.D.Khandekar the pay of State servants has not still been fixed finally. Pending the final fixation they are allowed provisionallyto draw the same pay which they were drawing prior to the merger of States. In case of State servants who were drawing less than the maximum of the grade in which they are absorbed, they are allowed minimum of the said grade. Those State servants who were drawing more than a minimum of the grade in which they are absorbed they are allowed the same pay which they were drawing in State service.

Political and Services Deptt
F Branch.
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Submitted with reference to the o.n.dated the 10th April 1951 (pages 9-10 ante) and C.S.'s note dated the 11th April 1951 thereon (page 11 ante).

2. The Legislative Deptt.has forwarded the information required by C.S. in his note at page 11 ante.(Vide Statement at page 33 to 42 ante).It will be seen from columns 8 and 9 of the statements that initial pay in all these cases has not been fixed and pending final fixation of their initial pay all the ex-State personel absorbed in the Leg.Deptt.have been allowed to draw the minimum of the pay scale of the post in which they have been absorbed or the pay drawn by them in the State Service at the time of integration whicheveris more. The ex-State servants have not ,therefore, been put to any financial loss as a result of merger.The question of fixation of their initial pay is being considered separately in consult -ation with A.G.and in some cases in consultation with this deptt.& F.D.vide the office note onthe linked case.

3. As regards the question of seniority of Shri Chitnis and of Shri Inamdar vis-a-vis Govt.servants,as stated previously in the o.n.dated the 10th April 1951,Shri Chitnis and Shri Inamdar,who have been recommended by the P.S.C. for absorption as Sr.Asstts.should be treated as absorbed as Sr. Asstts.from the beginning and their seniority should be fixed in the S.A.'s grade in accordance with the general rules framed by Govt.The D.S.has also observed in his note at pages 10-11 ante that if the Leg.Deptt.is of the opinion that both these State Servants are not suitable for absorption as Sr.Asstt., it will be necy.to address the P.S.C.and inform that body that they cannot be absorbed as Sr.Asstts.The Leg.Deptt.,it appears,from the note,is of the view that since they were originally appointed as JR.Asstts.,their initial pay and seniority should be fixed in the J.A.'s cadre.This view does not appear to be correct.As stated previously,if for the sake of administrative reasons they were absorbed as J.A.'s initially,they should nowbe treated as absorbed as S.A.'s

from the beginning and their pay and seniority should be fixed in the S.A.'s cadre in accordance with the general rules framed by Govt. It may be stated in this connection that according to rule 6 of the rules laid down by Govt. Resolution P & S.D.No.2736/46-II dated the 20-5-51, seniority of State Servants absorbed in the Bombay State Service vis-a-vis Govt.Servants was fixed on the basis of the initial pay of former and the substantive pay of the latter.This rule,however,resulted in hardship to Govt. servants who were officiating in higher grade for a considerable long period but were not confirmed in that grade for want of permanent posts,as their officiating pay i.e.pay drawn by them in the officiating posts,was not taken into account for the purpose of fixation of their seniority.This hardship has,however,since been removed by amplyfying fule 6 referred to above to the effect that for the purpose of fixation of their seniority vis-a-vis ex-State Servants, theofficiating pay drawn by Govt. servants should be taken into consideration if they have put in not less than two years of service in the cadre in which they are officiating and the Head of the Deptt. concerned certifies that they are not likely to revert from their officiating (higher)posts to the lower posts-vide Govt. Resolution,P & S.D.No.2736/46-II,dt.11-9-51.From para 5 of the Leg.Deptt.note at page 8 ante,it appears that the main question raised for consideration in these papers was that certain members of the staff of the Leg.Deptt.(vis Shri Tathavadkar)Shri Chaudhari etc., would be put to hardship if Shri Chitnis and Shri Inamdar, Ex-State servants absorbed in the Leg.Deptt.,are absorbed as Sr.Asstts.in that Deptt. from the beginning and their seniority vis-a-vis Govt. servants is fixed in the S.A.'s grade.From the orders contained in Govt.Resolution dated the 11th September 1951, it will be seen that Govt.servants will get the benefit of their officiating pay for the purpose of fixation of their

seniority vis-a-vis ex-State Servants subject to the conditions laid down in the said G.R.

3. It is not clear from para 1 of A.S., Legal Departments note at age 29 ante as to why Shri V.R.Chitnis and Shri P.Y. Inamdar have not been absorbed in posts of S.A.'s even though the P.S.C. have recommended them for absorption inthe grade of Sr. Asstt. viz., Rs. 210-15-300. From the Leg.Deptt.note at slip Z belo , it appears that it was decided by that Department to absorb Shri Chitnis at Sr. Asstt. as recommended by the P.S.C From the statement at page 41 ante Sr. No. 13 it will be seen that while in the State Service, Shri Chitnis was drawing pay at Rs. 200/-p.m. in the scale of Rs. 200-20/2-300. From the service-book(slip X in the linked case) it will be seen that the pay drawn at the time of integration viz.,Rs. 200/- was his substantive pay i.e., pay drawn in a permanent post. It is therefore clear that had not the State merged, Shri C. would have been entitled to the pay-scale of Rs. 200/20/2-300 and draw his pay in that scale. According to the recommendations of the P.S.C. he is entitled to the pay-scale of Rs. 210-15-300 i.e.,pa scale attached to the post of S.A.which is more or less corresponding to the State-pay scale. If therefore, Shri C. is absorbed as J.A. from the date of his absorption in the Legal Department viz.,1/1/50 and treated as promoted to the post of S.A.from 1-9-50(vide para 1 of A.S.Leg. Deptt, note at page 29 ante)this will be against the recommendations of the P.S.C. As regards Shri Inamdar, the Leg. Deptt. has stated that the A.G already given a ruling that as Shri Inamdar was taken up J.A. his pay should be fixed as J.A.only vide 'B at page 29 ante. This ruling of the A.G. depends on its turnon the fact that the Legal Department absorbed Shri I. as J.A. and not as S.A. as recommended by the P.S.C. Had he been absorbed as S.A. the A.G. would have ruled that his pay should be fixed in the grade of S.A. It will not, therefore, be proper to fix the pay of Shri Inamdar in the grade of J.A. and on that basis, treat him as absorbed in the post of J.A. As regards his pay and pay-scale prior to integration, it will be seen from the service-book(slip A)below that his pay prior to integration i.e. on 1-4-48 was Rs. 155/p.m. On 1-6-1950, prior to his

absorption in the Leg. Dept., he earned two increments of Rs. 5/- each and his pay was Rs. 165/-p.m. His pay-scale in the State service as stated in the statement was Rs. 150-5-200. If he is absorbed as Sr. Asstt. his pay will be fixed in the pay-scale or Rs. 120-10-250 which is more favourable than the State pay-scale. However, he has been recommended by the P.S.C. for absorption as S.A. and as such he is entitled for the pay-scale of Rs. 210-15- 300 attached to that post. It may be stated that the recommendation of the P.S.C. are made not merely on the basis of pay of the person concerned but all other relevant factors such as experience, ability, qualification etc. It therefore, appears that his pay should be fixed in the S.A.'s grade of Rs. 210-15-300 in accordance with the P.S.C's recommendations. If approved, Leg. Deptt. may be requested to take necy-action accordingly.

4. The pay of ex-state servants absorbed in Legal Department is not yet finally fixed. In the case of 5 persons mentioned in the linked case(Shri Parikh, Shri Kulkarniand Shri Chitnis etc.)the pay is being fixed in consultation with F.D. and A.G. and in other cases the pay is being fixed by the A.G. not possible to put up a statement showing seniority of exstate servants in Leg. Deptt. vis-vis Govt. servants.

(Ltr. D Rx.)

Sd./----
27-11-51

So far as Shri Chitnis is concerned LD. will have to absorb him as Sr. Asstt. from the date of his appointment in L.D..

As regards Shri Inamdar, I see that his pay on the date of absorption in the State service was to Rs. 165 in the scale of Rs. 150-5-200. I should like to know while ~~he~~ we have got any papers to show how the P.S.C. happened to recommend him for absorption as Sr. Asstt. in the Sectt. Please put up the papers if they are in L.D. & S.D.

Sd./.....
28-11

Resubmitted

2. The pps. regarding absorption of Shri P.Y.Inamdar will be found(at slip A)in R.D. file No. 8116/46-A, below. Please see G.L.No. R.D.8116/46-19319-F, dt. the 26-10-49 in at page 29 in

SMR 25-8-56

4 Copies.

in R.D.file below.The question of absorption of Shri Inamdar was placed before the P.S.C.giving them Shri Inamdar's history -sheet (page 27 of the file)and that body was requested to make recommendations as to his suitability for absorption in the Bombay Judicial Service as C.J.(Jr.Dn).or R.M.or in any other post.The P.S.C.'s recommendations in his case are as follows:-

"Not suitable for C.J.or R.M.May be tried as Sr.Asstt in the Sectt. or as Shirestedr of Dist.Court."

Govt.has accepted the first recommendation and accordingly Shri Inamdar has been absorbed in the Leg.Deptt.It therefore appears that Shri I.shall be absorbed as Sr.Asstt.as recommended be the P.S.C.

Sd/-
29/11/51

Shri Inamdar was absorbed in L.D.on 30-6-50.He was first appointed in Aundh State as Inam Inquiry Councillor, on 9-5-46 Thereafter he was appointed in Aundh State as Inam ~~Councillor~~ Commr. on 15-10-47.It seems that while the P.C.C. ~~Courtdres~~ considers him unsuitable for the post Civil Judge,or R.M.in this state the ~~courtdres~~ considered ~~him~~ suitable for the post of Senior Asstt.in the Sectt.His ~~post~~ pay at the ~~turning~~ time of absorption was Rs.165 in the scale of 250-5-200 The pay scale of Jr.Asstt.in the Sectt.is Rs 120-15-250 and of Sr.Asstt.is Rs.210-15-300.In considering Shri Inamdar suitable for Sr.Asstt.s post the ~~conclusion~~ enquiries apparently have been ~~informed~~ influenced by the nature of duties which he was performing in the post he held in the Aundh State.Shri Inamdar no doubtcan be absorbed as a Jr.Asstt.having regard to the length of his ~~seniority~~ service in Aundh State,and the pay and pay scale given to him while in the service to Aundh State.But in view of the fact that the P.S.C.has recommended for absorption,as a Senior Asstt.it will not be possible for absorption as a Jr.Asstt.unless L.D.holds him that he is unsuitable for his absorption as a Sr.Asstt.and the connection to L.S.D.is affairs to this personal .Shri Chitnis will have to be absorbed as a Sr.Asstt.from the date of his appointment.

I agree that we should carry out the recommendation of P.S.C.unless it is found that Shri Inamdar is unfit for doing

the work of Sr.Asstt.
Sd/-
29/11

Fin Dep. IX

T.O.R.to F.D./Leg.Deptt.

Shriyuts Chitnis and Inamdar have actually worked as Jr.Asstts.and drawn pay in that post until they were promoted as Sr.Asstts.The proposal that they should be treated to have been absorbed as Sr.Asstt.with effect from the dates they joined the Legal Deptt.involv- payment of difference of pay to them between that of a Sr. Asstt.& a Jr.Asstt.This seems undesirable since the proposa -sal involves upgrading the posts of JR.Asstts.to that of Sr.Asstts.and that too in the interests of the persons concerned,It is,however,remembered that a similar case has been decided on R.D.papers.The R.D.had proposed to issue general orders.This dept has suggested on there papers that the general orders should issue from the P & S.D.and the papers were passed on by P & S.D.It seems that this case in so far as it relates to the fixation of pay as S.A.will retrospective effect will have to be covered by the general orders referred to be issued from the P & S.D.Subject to the above the F.D.may have noobjection to the P & S.D.proposal .The papers may be returned to the L.D.through the P & S.D.

Sd/-
24/12/51

VRB
6/8
4 0

W.O.R. to P & S.D./L.D. of 24.12.51

POLITICAL AND SERVICES DEPARTMENT"
'F' Branch

Submittedwith reference to the office notes at pages45-48 ante and C.S.'s note dt.29.11.51(page 49)

2. F.D.has expressed the view that Shri C itnis and Shri Inamdar have actually worked as Jr.Asstts.and drawn pay in that grade,until they were promoted as Sr.Asstts.and so far as grant of pay is concerned their cases should be dealt with in accordance with G.R.,P & S.D.,No.2735/46-II,dt.22.12 1951.It may be stated in this connection that the orders issued in G.R.,dt.22.12.51 strictly speaking do not apply in the case of Shri Chitnis and Shri Inamdar.In thecase of Shri C.M.Joshi Govt.originally decided that he should be absorbed as Aval Karkun.However,on reconsideration it was decided that he should be absorbed in the higher grade as Mahalkari" G.R.,P & S.D.,No.2735/46-II dt.22-12-51 applies to cases which are similar to the case of Shri Joshi.The case of Shri Chitnis and Shri Inamdar,it appears is not similar to that of Shri Joshi.In both the cases,it has been originally decided in consultation with the P.S.C.that they should be absorbed as Sr.Asstt.As stated in the previous note-vide 'A' at page 45 ante-it is not clear why Shri Chitnis and Shri Inamdar were not absorbed as Sr.Asstts.from the dates they joined the Legal Deptt.In accordance with the recommendations of the P.S.C. but it appears that they were not so absorbed due to administrtive reasons.In view of this position the general orders referred to aboveso not apply in the case of Shri Chitnis and Shri Inamdar.It may,however,be mentioned in this connection that so far as grant of pay is conserned,the view expressed by F.D.,that it would not be correct to allow Shri C.and Shri I,pay in the higher grade of A.when they actually worked as Jr.Asstts.unless there are clear vacancies in the higher grade of S.A.and they joined the Legal Deptt.,appears to be correct.This Deptt.may, therefore,agree with the view expressed by F.D.that so far as grant of pay is concerned,Shri Chitnis and Shri Inamdar may

be allowed to draw pay in the higher grade of Sr. Asstt.from the beginning,if there are clear vacancies in that higher grade for the period from the date they joined the Legal Deptt.to the date of their appointment as Sr.Asstt.However,for the purpose of fixation of their seniority vis-a-vis other servants working in the Legal Deptt.,it should be fixed in the U.A.'s grade with effect from the date they joined the Legal Deptt.on the basis the initial pay they would have drawn in that (higher) grade under the general orders issued by Govt.

The papers may be returned u.o.to the Legal Deptt.through F.D. with this note.

Sd/-
10/1/52

U.O.R.to F.D./Legal Deptt.

VIII
6/8
4 C

Finance Deptt.VIII.

Submitted with reference to the office note dated 22-12-1951.

2.These papers may be seen and returned to the L.D. with an expression of concurrence in the views expressed by the P & S.D. at 'A' in its foregoing note.

Sd/-
30-1-52

VHB
6/8
4 0

U.O.R.to L.D.dated 31/1/52

Submitted.

These are two linked cases (1) relating to the fixation of pay of following State servants:-

(1) Shri K.C.Parekh,
(2) " D.G.Kulkarni,
(3) " V.R.Chitnis,
(4) " Shastri Patwardhan,and
(5) " M.A.Patel.

and (2) fixationof seniority of Shri Chitnis and Shri Inamdar vis-a-vis Shri Patil,Shri Chaudhari,Shri Tathwadkar and Kumari D'Mello.

2.As regards (2) above it may be stated that the pay of Shri K.C.Parekh and Shri D.G.Kulkarni who have been absorbed as Junior Superintendents have been fixed by the P & S.D. at Rs.320/-per month the minimum of J.S.'s grade namely Rs.320-20-440.For fixation of Shri Chitnis's pay P & S.D.wants information on the point at 'A' on page 12 ante. Necessary letter to the Collector of Kolaba is put up for approval and signature.Fixation of pay of Shri Shastri Patwardhan and Shri Patel has been withheld pending the decision in the Shri Desai's case.

3.Shri Inamdar's pay is to be fixed as Senior Asstt. He joined L.D.on 30th June 1950.His pay at the time of merger was Rs.165/-.Under the rules his pay can be fixed at Rs.210 per month as follows:-

Rs.165+(15x4/5 = 12)C.J.A.+(Rs.20x4/5=16)H.R.A.
=165+12+16=193.
next stage in the S.A.'s grade 210.Since Shri Inamdar has put in less than 3 years' service in the grade of Rs.150-5-200as Inam Commr.,he gets only the next stage in the prescribed scale.

4.As regards (2) above (re:fixation of seniority) since the P & S.D.has ruled that Shri Chitnis and Shri Inamdar should be absorbed as S.A's it will be necessary to fix their pay as such.Shri Inamdar's pay will be Rs.210/-as shown above. But Shri Chitnis's fixation of pay will have to be held over pending the receipt of information from the Collector of Kolaba

5.The P & S.D.has also ruled that so far as grant of pay is concerned Shri Chitnis and Shri Inamdar should

be allowed to draw pay in the higher grade of Senior Asstt from the beginning if there are clear vacancies in that higher grade for the period from the date they joined the L.D.to the date of their appointment as S.A.'s.

6.It may also be noted that in view of the P & S.D.'s fixation of pay in Shri Parekh's and Kulkarni's cases,Shri Parekh's seniority for the purpose of Senior Superintendent's post will be affected inasmuch as Shri Paranjpe's pay has been fixed at Rs.340/-from 19th Sept. 1949.The orders of his confirmation as Senior Superintendent will require revision.It is necessary to appoint Shri Paranjpe as S.S in his stead.The orders regarding confirmation of Shri Chitnis from 1-1-50 as J.A.and Shri Inamdar from 30-6-50 as J.A.will have also to be modified in the light of the P & S.D. decision.

Sd/-
5/2

S.S.
5/2

D.S.(Leg)
8/2

D.S.(Civil)
8/2

Secy.
8/2

VHB
6/8
4 C

IMMEDIATE.

No. 1890
Legal Department,
Bombay Castle (Bombay No.1), 5th
February 1952

To

The Collector of Kolaba,
Alibag.

Sir,

I am directed to state that Shri V.R.Chitnis an ex-employee of the Janjira State has been absorbed in this Department from 12th August 1949. While in State service he was appointed as Secretary to H.H.the Nawab of Janjira with effect from 1st February 1948, on a pay of Rs.200/-per month. However, prior to his appointment to the said post he was working as Additional Secretary to H.H.the Nawab of Janjira on a pay of Rs.125/-permonth from 25th September 1947. I am to enquire whether increase in his pay from Rs. 125/- to Rs.200/-during the period 25th September 1947 to 1st February 1948 was bona fide i.e.was due to promotion from the post of Additional Secretary to the Secy.to H.H. the Nawab of Janjira or otherwise.

2. I am request you to kindly treat this as immediate.

Yours faithfully,

Sd/-

Assistant Secretary to Government,
Legal Department,

VHB
6/8
4 0

Letter.

65
No.LST-I-45
Collector's office,Kolaba
Alibag,8th March 1952

To

The Secretary to Government,
Legal Department,Bombay.

Subject:-Pay
Increase in the --
Shri V.R.Chitnis of -----

Reference G.L.No 1890,dated 5-2-1952.The increase in the pay of Shri V.R.Chitnis from Rs.125/- to Rs.200/- was bonafide.On 1-2-1948,he was promoted as Secretary to H.H. the Nawab of Janjira from the post of Additional Secretary. An extract from the Awak Harnishi in the H.H.'s enclosed. The post of Additional Secretary was not newly created.The pay of the predecessor of Shri Chitnis was Rs.220/-p.m. and the pay scale of the Secretary's post was Rs.200-20/2-300/

Sd/-
for Collector of Kolaba.

O.C.signed by the
Collr.

VHB
6/8
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1.	2.	3.	4.	5.	6.	7.
6	K.R.No. 180 of 1948.	Hamadar Huzur	27/2/48		Office Order:- Mr.V.H.Chitnis B.A.LL.B., Additional Secretary, Janjira is appointed Secretary to His highness the Nawab Saheb Bahadur Janjira on the salary of Rs.200/- p.m.with conveyance allowance at 20/-of his salary with effect from 1st Feb.1948.	Copy forwarded with compliments to the Treasury officer Janjira for information 28-2-48

True Copy.

Sd/-

For Nazim Khasa Sarkar, Janjira.

THR
1//8
1 0

Legal Department.

Submitted.

Please see this Department letter No.1890 dated the 5th February 1952 to the Collector of Kolaba at p.67 ante. The Collector now reports that the increase in the pay of Shri Chitnis from Rs.125/- to Rs.200/- was bonafide.The letter is self explanatory.

2.As per P & S.D.ruling Shri Chitnis' pay will have to be fixed in the S.A.'s grade.Shri Chitnis joined L.D.on 13th August 1949.His pay at the time of merger was Rs.200/- Under the rules his pay can be fixed at Rs.270/-p.m.from 13th August 1949 as shown below:-

Rs.200+(15x4/5=12) C.L.A.+(Rs.20x4/5=16)H.R.A.
=200+12+16=228

Next stage in the S.A.'s grade Rs.240/-Since he has put in less than 12 years' but more than 6 years' service he gets two increments i.e.his pay comes to Rs.270/-in the prescribed scale.

3.Shri Inamdar's pay is also to be fixed as Senior Assistant.He joined L.D.on 30th June 1950.His pay at the time of merger was Rs.165/-Under the rules his pay can be fixed at Rs.210/-permonth as follows.-

Rs.165+(15x4/5=12)C.L.A.+(Rs.20x4/5=16) H.R.A.
=165+12+16=193

Next stage in the S.A.'s grde Rs.210/-Since Shri Inamdar has put in less than 3 years' service he gets only the next stage in the prescribed scale.His pay can, therefore.be fixed at Rs.210/-p.m.from 30th June 1950.

4.The papers may now be shown to the P & S.D. and L.D.as desired by them.They maybe requested to state whether the fixation of pay as shown above is correct.The Service Books of Shri Chitnis and Shri Inamdar may also be forwarded.

S.S.
20/2/52

In his noteon p.49 ante,the Chief Secretary has observed that the recommendations of the Public Service Commission with reference to the absorption of Shri V.R.Chitnis and P.Y.Inamdar as Senior Assistants in the Legal Department

should be carried out unless it is found that Shri Inamdar is unfit for doing the work of Senior Assistant Both Shri V.R.Chitnis and Shri Inamdar P.Y. have been recommended by the P.S.C.for absorption in this Department as Senior Assistants.In the chain of promotions as a result of the implementation of the Reorganisation of this Deptt.,Shri V.R.Chitnis has been provisionally confirmed as Senior Assistant.

In the case regarding the fixation of seniority of Shri V.R.Chitnis,P.Y.Inamdar and others vis-a-vis Shri Patil,Shri Chaudhary and Shri Tathwadkar which has been separately submitted to the Secretary,it has been pointed out that even if Shri Patil,Shri Chaudhari and Shri Tathwadkar are given seniority over Shri V.R.Chitnis,Shri P.Y.Inamdar and others,Shri P.Y.Inamdar would be provisionally confirmed as Senior Assistant.

There would therefore be no difficulty in implementing the recommendations of the P.S.C.in respect of the absorption of Shri V.R.Chitnis and Shri P.Y. Inamdar as S.A's.

Under these circumstances,these papers may be forwarded to the F.S.D.and L.D.with a request to state whether the pay of Shri V.R.Chitnis and Shri P.Y. Inamdar as fixed in the above note is correct.

Sd/- S.T.D.
26/3/52

Secy.29/

U.R.to P & S.D.No.4924,dt. 31st March 1952

VIB
6/8
A C

& F.D.

Seen and passed on his F.D. with the remarks that the case of Shri Chintnis and Shri Inamdar fixed by L.D. in the grade appears to be correct.

It will be seen from the P & G.D. note dt. 19-11-51 in loose papers of L.D. at slip 'F' that while calculating Shri Chitnis' pay at Rs.250, 4/5th of H.R.A. admissible to his in addition to C.L.A. was not taken into account. L.D. has taken the H.R.A. into account and thus his pay comes to Rs.270 p.m. which is correct.

Sd/-
10/4/52

U.O.R. to F.D. 1414

Seen and returned to the L.D.

Sd/-
17/4/52

VHB
6/8
4 C

U.O.R. to the L.D. dt. 17/4/52

Submitted,

The P & S.D. and F.D.have both agreed to the fixation of pay of Shri V.R.Chitnis and Shri Inamdar as suggested by office.

Necy.memo to the A.P.N.is put up for approval

S.S.
23/4/52

S.W.D.
23/4/52

VHB
6/8
4 C

A.C.(Adm)

No.6275
Legal Department,
Bombay Castle(Bombay No.1)24th April 1952

Subject:-Fixation of initial pay of the State servants on the absorption in the Legal Department.

Memorandum.

The undersigned presents compliments to the Accountant General,Bombay and with reference to Government Resolution,Political and Services Department No.2735/46-II dated the 20th May 1949 as amended from time to time,is directed to convey the sanction of Government,to the fixation of pay of M/s.V.R.Chitnis and P.Y.Inamdar as per details shown below against their names:-

Serial No.	Name.	Post and Scale	Initial pay now fixed	Date of fixation	Date of next increment
1	Shri V.R.Chitnis	Senior Asstt. 210-15-300	270	13-8-49	13-8-50
2	" P.Y.Inamdar	Senior Asstt. 210-15-300	210	30-6-50	30-6-51

By order of the Governor of Bombay,

Sd/- S.M.Dhurandhar
Assistant Secretary to Government.

To
The Accountant General,Bombay (through Finance Department).

Copy to;

The Political and Services Department,

The Finance Department.

VHB
7/8
4 0

L.D.

Submitted.

I am told that my pay is fixed. I have not so far received the difference in pay nor any increments. It may be that my case for fixation may be mixed with that of Shri Chitnis (B) Branch. In that case, my case may to separated from that of Shri Chitnis orders may please be issued to that effect. I may also be granted the difference in pay from the date of joining & the increment due.

P.Y. Inamdar
10-3

A.S.(Adm) S.W.D.
10-3

VHB
7/8
4 C

L.D.

My pay is fixed atRs.210,on the Supposition that I have put in less than three years' service,before absorption i.e. 30th June 1950.This supposition is unwarranted as will be clear from the accompanying order of my appointment as Inamcommissioner in Aundh State (Vide portion marked;Aundh state gazette)

I entered Aundh State service in 1946,was confirmed in 1947. The period of my service commences from 1946. Thus I was in Aundh State service for four years in the same grade before absorption.It is,therefore,submitted that my pay should be fixed at Rs.225 i.e.210+15 (one increment),on 30th June 1950.I am entitled to one increment in accordance with the fixation Rules.

Sd/-P.Y.I.
11/6
A.S.(ADM).C Branch.

Submitted
The papers fixing the pay of Shri Inamdar have been forwarded to the P & S.D.with some other case.This may await the return of these papers

Sd/-
11/6

L.D.

Submitted
The pay of Shri Inamdar was fixed in consultation with Govt.in the Political and Services and Finance Departments.His present request overleaf may therefore be referred to these Deptts.with a request to state whether Shri Inamdar's pay can be fixed at Rs.225/-instead of Rs.210/- as already fixed

Sd/-
3/12

VHB U.H.to P. S.D. No.20847/C dt.11/12/52.
7/8 F.D.
4 C

L.D

Submitted with reference to office note dt.3/12/52.

2.These papers were called back in connection with Shri Chitnis's arrears pay bill pending with the A.G.Bombay.They may now again be referred to the P & S.D. and F.D.for refixing the pay of Shri Inamdar.

Sd/-
10/1/53

VHB 7/8 4 C U.R.to P & S.D. No 688/C dated 12-1-53

Political And Services Department.
"F" Branch.

Shri P.Y.Inamdar who has been absorbed as Sr.Asstt.in L.D. has represented against fixtion of his pay at Rs.210.According to him it should have been fixed at Rs.225 i.e.,Rs.210+15 as he is entitled to one increment for his service above 3 years in the State.

Attention is invited to L.D.'s note dated 20/3/52 at p.65 in which it is stated that his service is less than 3 years in Aundh State and therefore no increment is added to his pay in view of Rule 3 (i)of C.R.,dated 20/5/49.He is therefore entitled to Rs.210 p.m.only.P & S.D. and F.D.have agreed to the proposed fixation of his pay.In support of his contention,Shri Inamdar has pointed out that he entered Aundh State service in 1946 and was confirmed in 1947.He was first taen up as Inam Councillor w.e.f.1-5-46 and he was made permanent w.e.f.15-10-4 asInam Commissioner in the grade of Rs.150-5-200.It is further provided in the State order No.263 dated 31-10-47 published in the State Gazette that the datefrom which he has worked as Inam Councillor shou d bettaken into account and that the work done by him as Inam Councillor is to be treated as work done as Inam Commissioner.In view of the specific orders issued by the State prior to merger of the Aundh State (i.e.8-3-48) it seems his service in the Aundh State will have to be taken into account for the purpose of cadre certificate as required under Rule 2 (b).According to this Rule the Heads of Deptts.are required to certify the cadre service after considering the responsibilities of the post held by a State servant in the State and the postin which he is absorbed .This is for L.D.to consider.If L.D. is inclined to issue a cadre certificate for the whole service rendered by Shri Inamdar in Aundh State there is no objection to his pay was fixed at Rs.225.L.D.may however consider this point first.

Sd/-
27/1/53
U.O.R.to L.D. 28/1/53

L.D.
Submitted with reference to A of P & S.D. above note dt.27-1-53

Secy.can issue a cadre certificate as in the attached form for the whole service rendered by Shri I. in Aundh State. His pay may be fixed after UDR to P & S.D. and F.D. F.D. may be requested to forward the pay fixation form signed by the Spl. Officer so as to claim the arrears from the A.G. Bombay.

Sd/-
3/2/53

S.A.S. The responsibilities attached to the post of Asst Commr. which Shri Inamdar held do not appear to be in any way less than of a Senior Asstt. The requisite certificate may be granted. Such a certificate was also given in the case of Shri Parikh.

Sd/-
Secy
3/2

U.H. to P& S.D. / F.D. No 2318/ C dt. 4/2/53

VHB
7/8
4 C

P & S.D.

Submitted w th ref.to ~~on~~ U.O. 27/1/53 at p.81.

In view of the cadre certificate issued by L.D.in favour of Shri Inamdar , there is no objection to his pay being fixed at Rs.225. p.m.

The papers may now be passed to F.D.

Sd/-
10/2/53

U.O.R.to F.D.13/2

Finance Deptt.
P IIII

The pay of Shri Inamdar may be fixed at Rs.225 as shown in the pay fixation statement.His pay on 1-8-47 was Rs.110, while on the date of absorption it was Rs.165 The difference in the two being more than 20/- the case is covered by Proviso IV the pay may,therefore.be fixed under Rule 3(1),proviso iv.

Sd/-
16/2/53

VIII
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U.O.R to L.D. dt.17/2/53

No.3682/0
Legal Department,
Bombay Castle(Bombay No1)25th
February 1953

Subject:-Fixation of initial pay of the State Servants on their absorption in the Legal Department.

Memorandum.

The undersigned presents compliments to the Accountant General,Bombay,and in modification of the orders issued in Government Memorandum,Legal Department,No.6275,dated the 24th April 1952, is directed to convey the sanction of Government to the refixation of the initial pay of Shri P.Y.Inamdar,B.A.LL.B. ex-servant of the Aundh State,in accordance with proviso IV of Rule 3(1) of the Rules issued in Government Resolution ,Political and Services Department.No.2735/46-II,dated the 20th May 1949 as amended from time to time at Rs.225/-(Rupees two hundred and twenty-five only) as Senior Assistant in the grade of Rs.210-15-300/-with effect from the 30th June 1950.The date of next increment is the 30th June 1951.

2.A Copy of the revised statement showing fixation of pay of Shri Inamdar signed by the Officer on Special Duty, Finance Department and the necessary cadre certificate as required by Rule 2(b) of the Rules referred to in para one are forwarded herewith.The original statement will be attached to the arrears pay bill.

By order and in the name of the Governor of Bombay,
Sd/-
Assistant Secretary to Government.

To
The Accountant General Bombay (through the Finance Department)
Copy to:-
The Finance Department,
The Political and Services Department,
Shri P.Y.Inamdar,B.A.LL.B.,
Submitted for signature:
The F.D.and the P & S.D.have,agreed to the fixation of Shri Inamdar's pay at Rs.220/-from 30/6/50.Necy.orders may now issue.
Sd/-
S.A.S
24/2/53

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Revised Statement showing fixation of pay of absorbed State servant (Shri P.V.Inamdar)

Name or the office:-	:Legal Department.
1.Name and Cadre	:Shri P.V.Inamdar,Sr.Asstt.
2.Date of absorption	:30-6-1950
3.Pay (all emoluments by categories in State Service)	:Rs.165 mofussil pay + 28 (4/5 of C.L.A.&H.R.A.) Rs.193 city equivalent
4.Present substantive pay (in respect of a permanent post held in substantive capacity).	:Rs.165 mofussil pay Rs.193 city pay
5.Basic substantive pay of 1st August 1947	:Rs.110
6.Hypothetical present substantive pay (i.e.basic substantive pay on 1st August 1947,plus 10 per cent thereof).If the basic substantive pay on the date of merger is more than 20 per cent of the pay on 1st August 1947	:Rs 110 + 22 Rs.132 mofussil + 26 (4/5 of C.L.A.&H.R.A. Rs.158
7.Prescribed scale	:Rs.210-15-300
8.Completed years of service as on the date of absorption in the cadre in which he served.	: 9-5-46to30-6-50i.e.4-1-22
9.Whether the excess of 20 per cent or more over the basic pay on 1st August 1947,is due to revision of pay scales by Baroda State Government.	: No.
10.Initial pay under Rule 3(1)	:Rs.193:R.N.S.210+15=225
(a)Proviso (i) to rule 3 (1)	:Rs.193+75=268
(b)Proviso (ii)to rule 3(1)	:Rs.210+60=270
(c)Proviso (iii)to rule 3(1)	:Rs.293+100=293
(d)Proviso (iv) to rule 3 (1)	:Rs.158.N.H.S.210+15=225 Par.(1) 158+75= N.I.S.225
11.	
12.Pay in the prescribed scale finally fixed under column 10	:Rs.225.
13.Date of next increment	30/6/51
14,Remarks	Pay fixed under proviso iv of Rule 3(1)

Sd/-
Officer on Special Duty,
Finance Department.

Submitted after issue.Cashier may kindly attach the pay fixation statement to the arrears pay bill which is at page 87

VHB
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Submitted.

The cases of following State servants absorbed in the Deptt.may be referred to the P & S.D.for fixation of their pay as advised by the A.G.,Bombay.Necessary information in respect thereto is given below.

1. Shri K.C.Parikh.
2. " D.G.Kulkarni.
3. " V.R.Chitnis.
4. " H.Shastri Patwardhan.
5. " M.A.Patel.

(1)Shri K.C.Parikh:- Joined L.D.on 1-12-49,and was appointed as Junior Supdt.Prior to merger of Rajpipla State,he was working as Personal Assistant to the Dewan and Special Duty Officer on Rs.350/-.Since 15th November 1938 Shri K.C.Parikh has put in 11 completed years of service.According to G.R.,P & S.D. No.2735/46,dt.27-11-50 read with G.R.,P & S.D.No 2735/46 dt. 8-3-50 after adding 4/5 of C.L.A.of Rs.20/-i.e.Rs-16/-the total (Rs.350 plus 16)=Rs.366/-will be his'present substantive pay'. He has put in more than 6 years but less than 12 years service the said post.His pay can therefore be fixed at Rs.420/-p.m.with effect from 1-12-49 in accordance with rule 3(1) catagory (iii) of G.R.,P & S. D. No.2735/46-II,dt.20-5-49 and he will get his next increment making his pay at Rs.440/-on 1-12-50 However inasmuch as his present pay (Rs.350)is higher by 40/-than the basic pay (Rs.250) drawn by him in Rajpipla State on 1-3-47,his case would fall under proviso (iv) to rule 3(1)of the said P & S.p.C.R.

(2)Shri D.G.Kulkarni:-Joined Legal Department as Junior Supdt.on 8-8-1949.Prior to merger of Aundh State,he was working as Political Secretary on Rs.180/-p.m.His present pay can be taken as Rs.180/-plus C.A.$\frac{15}{1} \times \frac{4}{5}$ i.e.12)Rs.192/-as he has put in more than 12 years' service but less than 20 years, will be entitled to next higher stage i.e.minimum of J.S.pay scale of Rs.320-20-440 i.e.Rs.320/-plus three increments=Rs.38 But under proviso (i)to Rule 3(1)in G.R.P & S.D.No 2735/46-II dated 20-5-49,he cannot be given more than Rs.320/-p.m.(192+5 increments of Rs.20each=292 and as this is less than the minim of J.S.'s pay scale,he will get the minimum i.e.Rs.320/-)But again proviso (iii)restricts the initial pay to the maximum of

present pay (Rs.192)plus Rs.100/-i.e.Rs.292/-and hence sanction of Government will be required to be taken for fixing his pay at Rs.320/-p.m.m.

(3)Shri V.R.Chitnis. Joined L.D.on 12th August 1949, and was appointed as J.A.Prior to merger of Janjira State he was working as Secy.to H.H.the Nawabof Janjira on Rs.200/- p.m.According to G.R.P & S.D.No 2735/46,dt.27-11-50,read with G.R.P & S.D.No.2735/46,dt.8-8-50,after adding 4/5th of C.L.A. of Rs.15/-i.e.Rs.12/-the total (Rs.200 plus Rs.12)=Rs.212 will be his 'present substantive pay'. He has put in more than 6years but less than 12 years service in that state.His pay can therefore be fixed at Rs.240/-p.m.with effect from 12-8-1949 in accordance with rule 3(1)catagory (iii)of G.R.P & S.D.No.2735/46-IIdated 20-6-49 but for proviso(ii)to Rule 3(1)of the said G.R.his initial pay cannot be fixed at more than the pay which he would have drawn had the entire service of seven years been rendered as Junior Assistant i.e.Rs.190/- The difference of Rs.22/-will have to be treated as personal pay with effect from 12-8-1949 and he will get Rs.200/-p.m. plus Rs.12/-as personal pay on12-8-1950.However inasmuch as his present pay (Rs.200 is higher by 60% than the basic pay (Rs.125)drawn by him in Janjira State on 1-8-47,his case would fall under proviso (iv)to rule 3(1) of the said P.& S.D G.R.

(As per G.R.P & S.D.No.2735/46-II dated 12-9-50)-

4.Shri H.S.Shashtri Patwardhan:- Joined L.D.on 13th February 1950 and was appointed as typist Prior to merger,his 'present substantive pay'was Rs.160/-p.m.as a stenographer which was much more than 20/.of his substantive pay of Rs. 80/-on 1-8-47.According to G.R.P & S.D.No.2735/46-dated 27-11-1950read with G.R.P & S.D.No.2735/46,dt 8-8-1950,after adding 4/5th of C.L.A.of Rs.15 i.e.Rs.12/-the total (Rs. 160+12)Rs.172/-will be his 'present substantive pay'.But Shri H.S.Shastri Patwardhan is absorbed in L.D.as a typist in the grade of Rs.75-5-140-8-220 plus Rs-15/-as special allowance and by 13th February 1950 he would have in thatbadre rendered 4years' completed service in the prescribed scale

and under proviso (ii)to Rule 3(1)of G.R.P& S.D.No.2735/46-II dated 20-5-1949 his initial pay cannot be fixed on 13th February 1950 at more than Rs.95/-p.m.and the balance of Rs.77/-will have to be treated as personal pay to be merged in future increment for15years.stopsmeHis case falls under proviso (iv)to rule 3(1 of G.R.P & S.D.No.2735/46-II,dated 20-5-49 read with para .3 of G.R.P & S.D.No.2735/46-II dt.12-9-1950.

(5)Shri M.A.Patel.Joined L.D.on 21st November 1949 a was appointed as steno-typist.Prior to merger,his 'present substantive pay' was Rs.120/-He joined Baroda State service a typist on Rs.50/-on 26-2-1948 in a clear vacancy,but there was a practice that a person engaged in that State service has to wait for one year for confirmation.In themeanwhile a post of a steno-typist in the grade of Rs.120-10/2-150-15/2-200 was newl sanctioned for Medical Department under Huzur Order No.70/32, dated 13-5-48 and in response to the advertisement Shri M.A.Patel applied for the post and was selected.He would have been confirmed in the latter post according to the practice after one years'service but owing to merger activities it was decided that no person should be confirmed in any post.It is thus clear that Shri M.A.Patel was officiating in a clear vacancy in a permanent post and Hence he can be treated as holding the post in a permanent capacity for purposes of Rule 2(c)of G.R.P & S.D.N 2735/46-II dt.26-5-49.According to G.R.P & S.D.No.2735/46-dt. 27-11-50 read with G.R.P & S.D.No.2735/46dated 8-3-50after adding 4/5th C.L.A.of Rs.12-8-0 i.e.Rs-10/-the total(Rs.120+10) Rs.130/-will be his'present substantive pay'But Shri M.A.Patel is absorted in L.D.as a steno-typist in the grade of Rs.75-5-140-8-220plus Rs.30as short-hand and Rs.15/-as special allolance and by 21st November 1949 he would have in that cadre rendered one years completed service in the prescribed scale and under proviso(ii)to Rule 3(1)of G.R.P & S.R. No.2735/46-II dated 20-5-49 his initial pay cannot be fixed on 21st November 1949at more than Rs.80/-P.M.and the balance of Rs.50/-will have to be treated as personal pay to be merged in future increments for ten years to come.Govt.orders as to fixtion of his pay will,however,bnecess -ry as his casefalls under proviso (iv)to rule 3(1)of G.R.P & S.

9.2735/46-II dt.20-6-49 read with para 3 of G.R.P & S.D.No 735/46-II dated 12-9-1950.

2.The service books of the above State servants are also forwarded herewith.

3. After Govt.has fixed the pay necessary orders will be communicated to the A.G., Bombay.Necessary certificate as per rule 2(b) of the rules contained in P & S.D.G.R.of 20th May 1949will have to be given by the Secy.for A.G.'s record

The cases of other stateservants which fall under ordinary rules are being put up separately in the form required by the A.G.

Sd/13.4.

Please go through this and see whether the action proposed by J.A.is correct.

Sd/14.4

Action proposed by J.A.in the above note is correct.

The papers now be shown U.O.to P & S.D.for fixation of pay of five persons mentioned at p.49 ante.

Sd/16.4.
A.S.(Admn.)

These papers may now be passed on to the P & S.D. for fixation of the pay of the 5 persons.

U.O.P.to P & S.D. No.6480 dt.23rd April 1951

The L.D.may in the first instance be requested to forward the service books of these persons.

Sd/16.5.51

Legal Department

Submitted

Five service books of the members referred to on p.1 ante may be forwarded to the P & S.D.as desired.

U.R to P &S.D.No6067 dt 22nd May 1951

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Sd/22-5

Political and Services Department
"P" Branch.

It is recollected that on the main case regarding the seniority of the State servants absorbed in L.D. this Deptt. had expressed the view that the P.S.C.'s recommendation regarding V.R.Chitnis was that he should be absorbed as Sr.Asstt. and not J.A. and that his pay should accordingly be fixed in the Sr.Asstt cadre. The proposals made in the present note regarding Shri Chit is contrary to the recommendation referred to above. On the main L.D. case referred to above C.S. had called for certain detailed information regarding all the State servants absorbed in L.D. The L.D. was requested to supply the information. That case has not yet been received back from L.D. Before this case is considered further it will be necy. to know the decision arrived at in that case.

2. The L.D. may accordingly be requested to put up the papers referred to above together with detailed information required by C.S. in that case.

Sd/-
19-7-51

U.O.R. to L.D. 26-7-1951

Legal Department

Submitted with ref. to P & S.D. note overleaf.

2. The case referred to overleaf has been separately submitted. The information could not be compiled earlier as the service books of the state servants were sent to the P & S.D. and the A.G.B. This case will be sent to P & S.D. along with the mainease sellys &.

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U.R. to P & S.D. No. 14744, dt. 17th Sept. 1951

Political and Services Department.
"F" Branch.

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The Leg.Deptt.has raised the question of fixation of initial pay of 5 ex-state servants absorbed in that Deptt.T following remrks are offered in the case of each of them.

1. Shri Parikh:- He has been absorbed as Junior Superinte in the scale of Rs.320-20-440.His case has been referred fo specific orders of Government as it falls under Proviso (iv to Rule 3(1)of the Rules laid down in G.R.P & S.D.No.2735/ dated the 20/5/49.The intention of the proviso IV is to see that abnormal increases in the pay of the State servants as sanctioned by the State Government in view of the imminence are not automatically taken into account while fixing the initial pay.

The posts held by Shri Parikh in the Rajpipla State are as follows:-

1. Special Duty Mutation Officer	15-11-1938
2. Temp.Spl.Duty Officer	15-9-48
3. P.A.to Diwan and Spl.Duty Officer	1-4-44

The post which he was holdin at the time of merger that mentioned at 3 above.From the Service Book it will be that there was no definite pay scale attached to the post His basic pay on 1/8/47 was Rs.200/-p.m.+Rs.50/-.allowance On the date of merger i.e.on 10/6/48 it was Rs.350/-Thus it be seen that within a period of less than one year his pay was increased by Rs.100/-in the same post. his is apparentl not a normal increase .It is not known whether there was a general revision of pay-scale in the Rajpipla State.From t different increments given by the State during the last on year prior to merger it is apparent that it is not as a general revision of pay-scale .If necy.this may be got clarified from the Collector

Assuming that there was no general revision of pa scales in the Rajpipla State the question is what should b treated as the basic pay of Shri Parikh for the purpose of fixation of pay.Basic pay has been defined as follows."Basi Pay"means the pay in the time scales of pay attached to a (or,where a fixed pay and not a time scale,is attached to

post such fixed pay)excluding additional pay,specialpay, personal,technical pay,allowances and any other kind of emolument" "Present pay"for the purpose of fixation is the basic pay drawn in State service on the date of absorption .The extraordinary increments given after 1/8/47 and on 1/4/48 can hardly be treated as normal basic pay.No extraordinary increases can be taken into account for the purpose of fixation pay.In this connection attention is invited to G.R.P & S.D.No.2735/46 -II,dated the 26th June 1950.This G.R.excludes any interim relief granted by the State for the purpose of fixation of pay and directs that the differences between the present pay plus interim relief and the initial pay as fixed under the Resolution (without taking into account the interim relief) should be granted as personal pay to be absorbed in future increments.These orders further direct that if any State had sanctioned any interim relief merely in view of the imminence of merger and not as a policy of administration such interim relief should not be taken into account at all It is possible that the increments granted to Shri Parikh after 1/8/47 were in the nature of interim relief.If so., the present pay for the fixation of pay should be Rs.200/- (the difference between the present pay plus interim relief and the initial pay fixed on the basis of Rs.200/-as prese pay being given as personal pay on the assumption that the interim relief was not merely in view of merger)If this formula is to be accepted for fixing Shri Parikhs pay init pay shall be as follows:-

Present pay	Rs.200/-
4/5 of C.L.A.	Rs.16/-
	Rs-216/-

Next higher stage in the post in which absorbed Rs.320/- (viz. the initial pay of Junr. Supdt's post plus one increment under rule 3(1)of the 20th May G.R.i.e. Rs.20/-

Thus his initial pay on the date of absorption would come to Rs.340/- however this is less than whathe was drawing on the date of absorption ie. Rs.350/-Either on the principle that we are committed not to give less than what a State servant was entitled to on the date of absorption or having regard

But proviso (iii) of Rule 3(1) of the 20th May G.R. lays down that in no case shall be initial pay fixed under the rule exceed the sum of the present pay and Rs. 100/-. Having regard to this proviso Shri Parrikh will have to start at the minimum of the payscale of the post of Jr. (Supdt.) viz Rs. 320/-

dated the 26th June 1950.the difference between the initial(i.e Rs.320/-and the pay drawn on the date of absorption viz.Rs.350/ which comes to Rs 30) shall have to be given as personal pay to be absorbed in future in rements.

2.Shri Kulkarni. Shri Kulkarni has also been absorbed as Jr.Supdt.in the scale of Rs.320-20-440.His present substantive pay after allowing the benefit of the C.L.A.is Rs.192/-(i.e Rs.180/-plus Rs.12/-the benefit of the 4/5 th of the C.L.A.).As pointed out by the Leg.Department under proviso (iii) to Rule 3(1) of G.R.dated 20/5/49 pay in this case is restricted to Rs. 292/-However he should get the minimum of the pay scale of the post in which he is absorbed.and accordingly his pay may be fixed at Rs.320/-p.m.

3.Shri Chitnis. As stated in the office note on the linked case,Shri Chitnis should be absorbed as S.A.in accordance with recommendations of the P.S.C.and his pay should accordingly be fixed in the S.A.'s scale of Rs.210-15-300.His present substantive pay comes to Rs.212/-vide 'A'on page 2 ante. From his service book (Slip X below)it appears that he was made permanent in Feb.1945.His total service as stated by leg. deptt.at 'B' at p2 ante.which counts for increments comes to more than 6 years.His pay according to the Rule 3(1)should be(Rs.212substantive pay-next higher stage-Rs.230/-plus two increments of Rs.15/-~~and~~ early Rs.250/-From the service book it appears that increase in his pay (particularly from Rs.125/ on 25/9 '47 to Rs.200/-on 1-2-48) was bonafide i.e.was due to promotion from the post of Addl.Secy.to H.H.the Nawab of Janjira .This may however be ascertained from the Collr.of Kolaba,before his pay is fixed at Rs.245/-

4 & 5 Shri Shastri Patwardhan and Shri Patel

It is being considered separately whether the pay which is admissible under alternative (1) in para.1 of G.R.P & S.D. No.2735/46-II,dated the 12/9/49 should be subject to provisos (i) to (iv) to rule 3 (1) of G.R.dated 20/5/49-The papers have been referred u.o.to F.D.These two cases may be kept in awaitpending decision on the case referred to above.If it is decided that the provisos do not apply to the alternative (1)

the pay in the case of former will be fixed at Rs.172/-in
as in the case of latter at Rs.130/- in the scale of Rs. 75-5-140-8-220
the scale of Rs.75-5-140-8-220/.The papers may be referred
u.o.to F.D.for favour of remarks,if any,That Department
may also be requested to return the papers referred to at
'A'above to this Department asearly as possible.

Sd/-
19-11-51

VIII
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Resubmitted.

2.D.S.verbally directed that the cases should be examined in the light of recent orders issued in G.R.F & S.D.No.2735/46 dt.the 1-11-51 regarding grant of benefit of the house rent allowance(in addition to that of compensatory allowance)to ex-state servants absorbed in the Bombay State service.As regards Shri Parikh(case No.1) as stated at page10ante.his present pay,after giving him the benefit of C.L.A.comes to (Rs 200+Rs.16-C.L.A.)Rs.216.He according to orders mentioned above, will get the benefit of house rent allowance.The benef of house rent allowance is given the same manner as that of C.L.A.and as such Shri Parikh's present pay after giving him the benefit of H.R.A.will be to about (Rs.216+Rs.16 H.R.A.)Rs23 The next higher stage in the prescribed pay scale in which Sh Parikh has been absorbed will be Rs.320(in the scale of Rs.3 -20-440)The orders referred to allow will not therefore affe the case of Shri Parikh so far as fixation of his pay is concerned,

3.So far as the effect of F &S.D.G.R.dt.the 1-11-51 is concer the case of Shri Kulkarni is similar to that of Shri Parikh Shri Kulkarni's pay will be fixed at Rs.320/-p.m.which is the minimum of the prescribed pay-scale.

As regards Shri Chitnis,Shri Shastri Patwardhan and Sh Patel,The Leg.Deptt.has referred the cases to this Deptt.(an F.D.)as they fall under proviso (IV)to rule 3(1)of G.R.F & S No.2735/46-II dt.the 20-5- 49.In all these cases benefit of H.R.A.may be given inaccordance with the orders referred to above.

The pps.may be referred u.o.to F.D.as proposed above a with the linked case.

Sd/- 29.11.51 UOR to FD/LD

F.D.IX

Shri K.C.Parikh:-His pay on 1-8-47 was Rs.200+allowance of Rs.50 It was increased to Rs.300 from 12-1-48 and to Rs. 35 from 27-4-48 The increase in pay was very rapid lease see para 2 of G.R.F.D.No.2935/46-II dt. 26-6-50The F & S.D. does not seem to have allowed the increase for the purpose of fixi the pay in the prescribed scale. It has taken Rs.200as basic on 1-8-47 He has been absorbed as Sr.Supdt.in L.R.The Propos

is to fix his pay at Rs.320 p.m.which is the minimum of the scale.The F.D.may agree.

Shri Kulkarni:- He is absorbed as Jr.Supdt.in the L.D. in the scale of Rs.320-20-440.His substantive pay at the time of absorption was Rs.180/-On this pay a C.D.A.of Rs.15 p.m.and an H.R.A.of Rs.20 p.m. is admissible 4/5ths of this works out to Rs.28 Adding this to his pay,the total comes to Rs.208 p.m. Under Rules 3(1)(i) his pay as Supdt.can be fixed at Rs.320/- which is the minimum of the scale.But please see proviso (iii) in rule 3(1)of the Rules refixation of pay and seniority of ex-state employees.According to this rule his pay cannot be more than Rs.308(208+100)It seems that Shri K should have been absorbed in a part lower than that of a Supdt.Since,however,he has been absorbed as a Supdt.the F.D.may agree to fix his pay at Rs.320/-which is the minimum of the scale.

Shri V.R.Chitnis:- It seems necessary to obtain the information on the point mentioned at 'B'on page 12 ante.Besides the question of refixation of his pay depends upon the seniority questior pursued on otherpapers.His case may be dealt with in the light of the orders,that will be given on the general case referred to on the L.D.papers submitted as a linked case.

Shrimuts Patwardhan and Patel:- Please see last para of P & S. D.u.r.to note Dt.26/11/51.These cases will have to be considered in the light of the decision that will be reached on Shri Desai's case referred to by the P & S.D.That case is under submission separately and will be returned to P & S.D.after orders are passed on it.In the mean while the cases of these two persons may be kept in await.

With the above remarks the papers may be returned to the F.D. through the P & S.D.
U.O.R.to P & S.D./L.D.dt.24/11/51 & with fls.of seventeen service books.

Submitted with ref.to the o.ns at pages 9-14 ante.
2. Please see the o.n. of today's date on the linked case.This case may be returned U.O.to Leg.Deptt.thro.F.D.along with the linked case.
U.O.R.to F.D./Leg.Deptt. Sd/10.1.52

Finance Deptt.VIII

These papers may be seen and returned to the L.D,along with the linked case .The case of Shri Desai referred to at 'D'overleaf has been referred u.o.to P & S.D.on 14-1-52.

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Legal Department

These papers may be referred u.o.to the P & S.D.with a request to state whether the case of Shri Desai has since been decided and if so to fix the pay of Shri Shastri Patwardhan and Shri M.A.Patel.It is also requested to take consideration the representation of Shri Patel while fixing his pay.

sd/-
15/5/52

S.S.

A.S.(Adm)
U.R.to P.& S.D.No.8129,dt 15/5/52

P & S.D.

The case of Shri Desai referred to above is an F.D.case and it has since been decided.If so,the papers may be passed on to F.D.for fixing the pay of Shri Patel & Shri Shastri Patwardhan.
24/5/52
U.R.No.F.D.dt.26-5-52

Finance Deptt.VIII

Please see the concluding portion of P & S.D.note dt. 19-11-51,refixation of pay of Shri Shastri,Patwardhan & Shri Patel.The question is dependent on whether or not the provisos (i) to (iv)to rule 3(1)of G.R.dt.26-5-1949 are applicable to the alternative (i) in para 1 of G.R.P & S.D. No.2735/46-II dt.12-9-49.This issue was discussed at length in Shri J.C.Desai's case and it is seen that the D.S.P & S.D was inclined to agree,that the provisos applied to both the alternative mentioned in para1 of the G.R.dt.12-9-49.As the matter was not free from doubt he advised that a definite ruling on the point should be obtained Shri Desaiss case has subsequently been decided without

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4 0

(Continued on p. 115)

M.A.Patel(Steno-typist)
(Ex-Baroda Govt.employee)
Legal Department,
Secretariat,Bombay,
5th February 1952.

To,
The Secretary to the Government of Bombay,
Legal Department,
Bombay.

- - - - - - - - - - - - -

Subject:-Fixation of Pay.

Sir,

My case is under the consideration of Government for fixation of pay.At this stage I politely bring to the notice of the Government only one fact and that is that I am coming from Karachi having left it due to political changes in 1947 and that at the time of leaving Karachi I was drawing a basic monthly salary of Rs.180/-where the cost of living was far below that of Bombay.If my salary is fixed at a figure lower than that, I submit it will hit me hard inasmuch as my about 6 years' service in Karachi and approximately 2 years' service in Baroda will not be of any avail to me in these hard days.

The above factor may kindly be kept in view while fixing my basic pay.

Yours faithfully,
Sd/- M.A.Patel

Respectfully submitted through the Asstt.Secretary (Administration).

VHB
9/8-
4.0

LEGAL DEPARTMENT.

Submitted.

I was transferred to the Legal Deptt.from Baroda in November 1949.It is understood that the case for the fixation of my pay is lying with the P & S.D.It is now more than two years that I am transferred and I shall be highly obliged if the question of the fixation of my pay is settled at an early date as it would give me an idea as to where I stand .It is therefore requested to ...

Sd/- M.A.Patel
18-3-52.
Steno-typist.

Sd/-
20/3
J.A.

VHB
9/8
4 C

(continued from p. 109)

getting a definite ruling on this points.This point has been pressed for a decision in Shri Y.M.Gupte's case which has been referred u.o.to P & S.D.These pps may therefore be referred u.o.to the P & S.D. to expedite disposal of Shri Y.M.Gupte' case and for fubther examination in the light of the general decision reached in Shri Gupte's case.

Sd/
4-6-1952
A.S.
U.O.to P & S.D.dt.5-6-1952

P & S.D.

Submitted with ref.to on dt.24-5-52 at p 17 ante.

Shri Gupte's case referred to in F.D.note above has been kept in await as we have called for some papers from L.D.to enable us to deal in his case.These papers may be returned to L.D.with a request to await till his,Shri Gupte's, case is decided.

L.D.may refer these papers after about two weeks.

Sd/-
14/6/52

U.O.R.to L.Deptt.

L.D.

Submitted.

This case may again be referred to P & S. after about two weeks as stated by that Deptt.

Sd/-
25/6
Supdt.
25/6/52
S.A.S
25/6/

Submitted.

It is presumed that Shri Gupte's case must have been decided by now.These papers may therefore be referred back to the P & S.D.as stated by that Deptt.above.

14/7
Supdt.
S.A.S.

VHB
9/8
4 0

U.R.to P & S.D.No 11677 , dt. 15-7-1952.

P & S.D.

The case of Shri Gupte referred to in the o.n.dt.14/6/52 has been passed on to F.D.about 4 days back.These may be referred to F.D.with a request to take decision on the point raised in Shri Guptes case regarding applicability of provisos in the cases in which the pay is fixed in alternative (i) of G.R.dt.12-9-50..

U. O. R.to F.D.dt 18/7/52.

Finance Deptt.VIII

Submitted with ref. to the o.n.dated 4-6-1952.

2. On the case dealing with the fixation of pay of Shri Gupte the P & S.D.has suggested that he shall be absorbed as Sr,Asstt. right from the beginning. If this suggestion is ultimately accepted it is likely that the question of applying the provisos to his case cannot arise,since in that case he might to held eligible for the benefit of Rule 7 of P & S.D.G.R.of 20-5-1949.If a decision, in any case,has to be taken,it may as well be taken on this file. Further,since, the ruling required to be taken is with reference to the orders issued by the P & S.D.it will be in the fitness of things if that Deptt.takes the requisite ruling in consultation with the Deptt. Subject to approval,the P & S.D.may be advised accordingly.

We may place on this file,copies of relevant notes recorded on Shri Gupte's case.

Sd/-
29-7-52.

VHB
D/S
4 C

Resubmitted, with ref.to' A.S.'s note dated 29-7-1952. on prepage.-

2.It has been ~~orally~~ verbally explained to the A.S. that Shri Gupte's pp.are under submission and that these pp.would therefore be kept in await till those pp.become available.The pp.are still under submission and it seems that they are with D.S.(M).It is therefore suggested that these pp.be kept in await for a further period of 15 days or till the pp become available,whichever is earlier.

Sd/-
10/9/52

Resubmitted.
2.The file dealing with the fixation of pay of Shri Gupte is being referred to the P & S.D.separately.These pp,may also be passed on to that deptt.for further action,as suggested in the o.n.propage.
Sd/-
29/9/

U.O.R.to P & S.D.dt 1-10-52

P & S.D.

The L.D.may be requested to refer this case after some time as Shri Gupte's case is under consideration of that Deptt.and has not been finally decided.
Sd/-
17/10/52
U.O.R.to L.D.dt 20/10

L.D.

Submitted.
This case may again be referred to P & S.D.after a lapse of two weeks' time .
Sd/-
22/10
Supdt.
S A.S.

L.D.

Submitted with reference to P & S.D.note dt 17/10/52 above. It is presumed that Shri Gupte's case must have been decided by this time.The P & S.D.may therefore be requested to fix the pay of Messrs.Patel & Shastri Patwardhan.
Sd/-
3/12/52
Supdt
S.A.S

VHB U.O.R.to P & S.D.No.20320/C dt.4-12-52.
9/8
C

Submitted.

The case of Shri Y.M.Gupto in F.D. has been returned to [illegible] It is not yet finally decided. It seems it does not seem necessary to keep this case undecided till Shri G's case is decided F.D.may be requested to decide this case independently as it is delayed for a long time.

Sd/-
24-11

U.O.R.to the F.D.dt.26-12-52.

Finance Deptt:
P. III

L.D.may be requested to forward the S.Bs.of Shri Shastri Patwardhan & Shri Patel for enabling this Deptt. to fix their Pay. L.D.may also be requested to forward the S.B.of Shri K.C.Jamkh to enable the Deptt.to see if his pay has been correctly fixed.

(This should not have been delayed for nearly two months.)

VHB
9/2
4 U

U.O.R.to L.D.dt 18-2-53.

L.D.R.I.No.4400
21/2/53

Submitted.

Service Books of Shri Shastri Patwardhan and Shri Patel and also of Shri K.C.Parikh together with the papers fixing his pay may be forwarded to the Finance Department for enabling that Department to fix the pay of Shri S.Patwardhan and Shri Patel and also to see whether the pay of Shri Parikh has been fixed correctly.

Sd/-
23/2.
Supdt.
S.S.S.

U.R.to F.D.No.3505/C dated 23rd February 1953-with service books of M/s Shastri Patwardhan ,Patel and Parikh and L.D: file No.Est. II-State servants/51-52- t.II.

Finance Deptt.
P III

Before the pay fixation of Shri Shastri Patwardhan & Shri Patel is taken up,L.D.may kindly clarify the following:-

(i)In the S.B.of Shri Shastri Patwardhan the first entr shows the date of ending service as 31-5-47.The second entry show the date of beginning service as 1-9-47.L.D.may kindly clarify which post he was holding from 1-6-47to 31-8-47 and what pay he wa drawing during this period.If there was any break in his service during this period,L.D.may kindly state whether it was condoned or not.

(ii)In L.D.office note dt.13-4-51 it has been stated that Shri Patel was holding the post of Senographer in a clear vacancy .There is no entry in the Service Book of Shri P.to this effect.The L.D.may kindly show the authority for this statement.

Sd/-
2/3/53

U.O.R.to L.D.dt 3-3-53(with 3 S.B.and L.D.file No.Ststatesevnt 51-52)

L.D.R.I.No.5564 dt/6-3-53

Submitted with reference to F.D.note Dt/2/3/53overleaf.

2. The entry in the service book of Shri Shastri Patwardhan is 1-6-1947 and not 1-9-1947.There was no break in his service during the period from 1-6-1947 to 31-8-1947.

3. In L.D.note dt/13-4-51(p4)it was stated that Shri Patel was holding the post of Stenographer in a clear vacancy only on the strength of a copy of the order produced by Shri Patel.He was accordingly holding the post which was created on ermanent basi Shri Patel is on leave for one month and it will also take more time to call for the original records from the Medical Department The F.D.may therefore be requested to decide the case on the strength of the L.D.Note dt/13/4/51.

4. The F.D.may also be requested to forward a pay fixation statement in the case of Shri Parikh as the A.G.Bombay has retur -d the arrears bill in the absence of the statement.

11-3-53
S.A.S.
12-3-

U.R.to F.D. No.4865/C dt.12th March 1953

With service books of M/s Patel, Shastri Patwardhan and Parikh and L.D.File Forest.II-State Servants /51-52 pt.II

VHB
9/3
4 C

Finance Department P.III.

Submitted with reference to office note dated 2-3-53.

2. The L.D.states that the entry in the Service book of Shri Shastri Patwardhan is 1-6-47 and not 1-9-47.This Deptt may accept this statement and fix Shri P's.pay.Shri Shastri Patwardhan has been absorbed as typist with effect from 13th February 1950.He had joined the Baroda State as typist on 7-9-45 and his cadre service will therefore be 4yr-5ms-7dys. His pay on 1-8-47 was Rs.80 and it was Rs.160 on the date of absorption.He was officiating as Stenographer on 1-8-47.The- and was confirmed in that post on 1-6-48. The rise in pay was due to revision of pay scale.He has been absorbed in the city scale of Rs.75-5-140-8-220.The city equivalent of his mofussil pay of Rs.160 is Rs.183.His pay may be fixed at Rs.95 plus 93 p.p.to be merged in future increments under alternative (i)of the G.R.P & S.D.No.2735/ 46-II dated 12th Sept.1950 as shown in the pay fixation statement.

3. Shri M.A.Patel:-He has been absorbed as Stenotypist with effect from 21-11-49.He was appointed as typist,on 26-2-1948 in Baroda State.On 11-9-48 he was appointed to officiate as Stenotypist on a pay of Rs.120.He was not confirmed in the post when the state merged.From the copy of the Rajadnya No.76/32 13-5-1948 it appears that the post of Stenotypist in the Medical Deptt.was sanctioned on permanent basis.In his application dated 2nd January 1951 Shri Patel has statedthat he was appointed to the post after passing a competitive examination.The L.D.states that it has no other evidence except this statement of Shri Patel,to show that he was officiating in a clearvacancy.We may assume that Shri P.was officiating in a clear vacancy in a permanent post.His mofussil pay was Rs.120.The city equivalent is Rs. 146.His pay may be fixed at Rs.80 plus 66 p.p.to be merged in future increments,as shown in the pay fixation statement.

4. Shri K.C.Parikh:- He has been absorbed as Junior Superintendent with effect from 1-12-1949.The L.D.has already fixed his pay at Rs.380 with effect from 1-12-1949.

From his service book it is seen that he was appointed as special Land Mutation Officer in the Rajpipla State on 15-11-1938. His pay on 1st May 1946 was Rs.200. On 1st August 1947 his pay was Rs.200plus 50 allowance. The case is covered by proviso (iv). For the purpose of finding out the hypothetical pay the basic pay on 1-8-47 will have to be taken into account, and the allo-wance of Rs.50/- will have to be ignored. The hypotheti-cal pay to be obtained by adding 20% of the pay on 1-8-47 is Rs.240 (Rs.200+40). His pay under proviso (iv) to Rule 31(1) on the basis of the hypothetical pay will be Rs.360 as shown in the pay fixation statement. The city equivalent of the mofussil pay of Rs.350 is Rs.394. His pay may be fixed at Rs.360 plus 34 p.p. to be merged in future increments. The L.D, may be requested to issue fr-esh pay fixation order in respect of Shri Parikh.

5. The L.D. may send a copy of each of the pay fixat-ion statements to the A.G. and inform him that pay has been fixed by the O.S.D.

Sd/-
8/4/53
U.O.R. to L.D. dt. 9-4-53.

L.D.

Submitted.

The F.D. has fixed the pay of Messrs. K.C. Parikh, M.S. Patel and H.S. Shastri Patwardhan as in the above note. Orders may therefore now issue, o.c. and f.c of the mems. are put up for signature.

15-4-53
Supdt.
S.A.D.

VHB
9/8
4 C

No.9144/C
Legal Department,
Bombay Castle,17th April 1953.

Subject:-Fixation of initial pay of ex-state servants on their absorption in the Legal Department

Memorandum.

The undersigned presents compliments to the Accountant General,Bombay and is directed to convey the sanction of Government to

I.the fixation of the initial pay of the following two ex-state servants under alternative (i)of Government Resolution,Political and Services Department,No.2735/46-II, dated the 12th September 1950 as shown in the pay fixation statements:-

S.No.	Name	Post in which absorbed	Date of absorption in L.D.	Initial pay fixed.	Date of next increment.
1.	Shri M.A.Patel	Stenotypist.	21-11-49	Rs.80+Rs. 6personal pay to be merged in future increments	21-11-50
2.	Shri H.S.Shastri Patwardhan.	Typist	13-2-50	Rs.95+Rs. 98 personal pay to be merged in future increments	1-6-50

II.The refixation of the initial pay of Shri K.C, Parikh,B.A.LL.B.,ex-state servant of the Rajpipla State under proviso (iv)to rule 3(1) issued in Government Resolution, Political and Services Department No.2735/46-II,dated the 20 th May 1949 at Rs.360 plus Rs.34 personal pay to be merged in future increments,(Rupees three hundred and ninety four only) as Junior Superintendent in the grade of Rs.320-20-440 with effect from the 1st December 1949 in modification of the orders issued in Government Memorandum,Legal Department No.9909-dated the 13th June 1952.

Copies of statements showing the fixation of pay of the above absorbed State servants signed by the Officeron Special Duty,Finance Department are forwarded herewith.The originals will be forwarded with the arrears pay bill.

By order and in the name of the
Governor of Bombay,
Sd/-
Assistant Secretary to Government.

To
The Accountant General, Bombay,
(through the Finance Department)

Copy to :-
The Finance Department,
The Political and Services Department.

Submitted after issue. The cashier may kindly attach the original statements to the arrears bill and make entries in the Service Books.
Sd/-
18-4-53

Supdt.
Cashier

Submitted,
The arrears bill of Shriyuts Parikh, Patel & Shastri Ratwarunan have been prepared. These papers may now be filed in Est.II State Servants /53
Sd/-
S.S.
27-5-53

VHB
9/8
4 C

Statement showing fixation of pay of absorbed State servants

Name of the Office:-	Legal Department.
1.Name and Cadre	Shri K.C.Parikh, Junior Supdt.
2.Date of absorption	1-12-49
3.Pay(all emoluments by categories in State Service.)	Rs.350 Mofussil 44 4/5 of C.L.A.&H.R.A. 394 City 20-0-0 10%- equivalent 1.e.35
4.Present substantive pay (in respect of a permanent post held in substantive capacity.)	Rs.350Mofussil Rs.394City equivalent
5.Basic substantive pay on 1st August 1947.	Rs.200+50 allowance mofussil
6.Hypothetical present substantive pay i.e.basic substantive pay on 1st August 1947,plus 10 percent.thereof). If the basic substantive pay on the date of merger is more than 20 per cent of the pay on 1st August 1947.	Rs.240 Mofussil 30 4/5 .L.A.& H.R.A. 270 17-8-0 20-0-0
7.Prescribed Scale	Rs.320-20-440-475-25-600 J.S. S.S.
8.Completed years of service as on the date of absorption in the cadre in which he served.	11yrs.0ms.16dys 15-11-38 30-11-49
9.Whether the excess of 20 per cent.or more over the basic pay on 1st August 1947, is due to revision of pay scales by Baroda State Government.	No.
10.Initial pay under Rule 3(1)/3(2)- (a)proviso (i)to rule 3 (1) (b)proviso (ii)to rule3(1) (c)proviso (iii)to rule3(1) (d)proviso (iv)to rule 3(1)	Rs.394 N.H.S. 400+40 Rs.440 Does not apply Rs.475 + 100 =575 Rs.494 Rs.270 N.H.S.320+40=360 prov.1,270+100=370.
11.Initial pay in the prescribed scale as per G.R.F & S.D.No.2735/46-II,dt. 12th September 1950- (a) Under alternative (i):- Proviso (i) Proviso (ii) Proviso (iii) Proviso(iv) (b) Under alternative (ii):- Proviso (i) Proviso (ii) Proviso (iii) Proviso (iv)	
12.Pay in the prescribed scale finally fixed under column 10/11(a)	Rs.360+34 p.p.to be merged in future increments
13.Date of next increment.	1-12-50
14.Remarks Calculated by- Sd/- 7.4.53	Sd/. B.C.D. 9-4-53 Officer on Special Duty, Finance Department.

Statement showing fixation of pay of absorbed State servant

Name of the Office. Legal Department

1. Name and Cadre — Shri H.S.Shastri Patwardhan Typis t

2. Date of absorption — 13-2-1950

3. Pay (all emoluments by categories in State Service) — Rs.160 Mofussil pay
28 4/5 of C.L.A.15-0-0&H.R.A.20
188 City Pay.

4. Present substantive pay (in respect of a permanent post held in substantive capacity). — Rs.160 Mofussil
" 188 City equivalent

5. Basic substantive pay on 1st August 1947 — Rs.80 Mofussil

6. Hypothetical present substantive pay (i.e.basic substantive pay on 1st August 1947,+10percent.thereof). If the basic substantive pay on the date of merger is more than 20 per cent of the pay on 1st August 1947 — Rs.96 (C.L.A.12-8-0
H.R.A.15-0-0
27-8-0
22 4/5of C.L.A. H.R.A.
118

7. Prescribed scale — Rs.75-5-140-8-220

8. Completed years of service as on the date of absorption in the cadre in which he served — 4yrs-5ms-7dys. (7-9-45 to 13-2-50 = 7-5-47)

9. Whether the excess of 20 percent or more over the basic pay on 1st August 1947,is due to revision of pay scales by Baroda State Government.

10. Initial pay under Rule 3(1)/3(2)
(a) proviso (i) to rule 3(1).
(b) proviso (ii) to rule 3(1)
(c) proviso (iii) to rule 3(1)
(d) proviso (iv) to rule 3(1)

11. Initial pay in the prescribed scale as per G.H.P & S.D.No.2735/46-II,dated 12th September 1950

(a) Under alternative (i):-	Rs.128
proviso (i)	Does not apply
proviso (ii)	Rs.95
proviso (iii)	Does not apply
proviso (iv)	---
(b) Under alternative (ii):-	Rs.118N.H.S.120+5=125
proviso (i)	Does not apply
proviso (ii)	Rs.95
proviso (iii)	Does not apply
proviso (iv)	---

12. Pay in the prescribed scale finally fixed under column 10/11(a) — Rs.95+93 personal pay to be merged in future increment

13. Date of next increment — 1-6-50

14. Remarks

Calculated by- — Sd-B.C.D. 9-4-53

Sd/- 6/4/53

Officer on Special Duty
Finance Department.

Statement showing fixation of pay of absorbed State servants.

Name of the Office :-	Legal Department.
1.Name and Cadre	Shri M.A.Patel, Stenotypist
2.Date of absorption	21-11-1949
3.Pay (all emoluments by categories in State Service	Rs.120 Mofussil (officiating in clear vacancy) 264/5 C.L.A.12-8-0 & H.R.A.20/- 146 City equivalent
4.Present substantive pay (in respect of a permanent post held in substantive capacity)	Rs.120 Mofussil (officiating in clear vacancy)
5.Basic substantive pay on 1st August 1947	Rs.146 City equivalent 50 on 26-2-48 The date of joining service
6.Hypothetical present substantive pay i.e.basic substantive pay on 1st August 1947+10 percent.thereof) If the basic subst -antive pay on the date of merger is more than 20 percent.of the pay on 1st August 1947	Rs.60 Mofussil i.e.Rs.78 city pay (60+4/5 of c.l.a.12-8-0 & h.r.a.15-0-0
7.Prescribed scale	Rs.75-5-140-8-220
8.Completed years of service as on the date of absorption in the cadre in which he served	1yr.8ms.24dys.26-2-48 to 21-11-48
9.Whether the excess of 20 percent or more over the basic pay on 1st August 1947, is due to revision of pay scales by Baroda State Government.	Partly due to appointment in another post viz.that of stenotypist and partly due to revision.
10.Initial pay under Rule 3(1)/3(2)	
(a) proviso (i) to rule 3(1)	
(b) proviso (ii) to rule 3(1)	
(c) proviso (iii) to rule 3(1)	
(d) proviso (iv) to rule 3(1)	
1.Initial pay in the prescribed scale as per G.R.P & SD. No.2785/46-II, dated 12th September 1950	
(a) Under alternative (i):-	Rs.146
Proviso (i)	Does not apply
Proviso (ii)	Rs.80
Proviso (iii)	Does not apply
Proviso (iv)	- - -
(b) Under alternative (ii):-	Rs78 N.H.S.Rs.80
Proviso (i)	Does not apply
Proviso (ii)	Rs.80
Proviso (iii)	Does not apply
Proviso (iv)	- - -
12.Pay in the prescribed scale finally fixed under column 10/11(a)	Rs.80+66p.p.to be merged in future increments.
13.Date of next increment.	21-11-1950
14.Remarks	As he was officiating in a clear vacancy in a permanent post his pay has been taken as substantive.
Calculated by- 9/1-6/4/53	Sd/- B.C.D. 9-6-53 Officer on Special Duty Finance Department.

No.9290/33/P.III. Finance Department,
Secretariat Annexe,
Fort, Bombay, 13th June '195

To
The Inspector General of Police,
Bombay State.
Poona

Subject:-Military personnel-
Fixation of pay of-
absorbed in Bombay State Service-

While checking the cases of absorbed stateservants at Thana cases of Shri V.R.Gupte and Shri C.K.Jawale were noticed where pay was fixed under Government Resolution , Political and Services Department No.2735/46-II, dated 29 th May 1949. These persons are ex-Military servants and as they have received musteringout concessions from Government, their pay is required o be fixed on an ad hoc basis vide Government Resolution Political and ServicesDepartment.No. 5299/46 dated 8th December 1950. You are requested, therefore, to send all these and similar cases (with your proposals) to Government in Home Department for fixation of their pay, on an ad hoc basis if this has not already been done.

Sd/-R.C.Dutt
Officer on Special Duty,
Finance Department.

Copy to:-
(i) The District Superintendent of Police, Thana (with service book of Shri Gupte)
(ii) All Collectors,
(iii) All Heads of Departments,
(iv) Home Department,

L.D.

Submitted for information .
So far as L.D. is concerned no ex-military servants have been absorbed in at and no action is necessary on t. is reference.
File in Est.II State servants/53

Supdt.
24/6/53
S.A.S
24/6/53

VHB
9/8
4 C

Permanent State servants abs
-orbed in temporary posts
Regulating Leave, Pension, e

Government of Bombay.
Political and Services Department.
Resolution No.2735/46-F
Bombay Castle 10th June 1953

Letter No.C.VII EJS/4453, dated the 23rd August 1952, from the Accountant General Bombay:-

I am to invite a reference to Government Political and Services Department Resolution No.2735/46-F dated the 26th April 1950 amplified by Government Resolution of even Number dated the 11th March 1952 and to state that the perman -ent State servants who have been absorbed in temporary posts (or may be officiating in temporary or permanent posts) are treated as permanent for the purposes of calculation of their leave joining time pay on transfer after absorption and grant of increments. Accordingly their leave period in temporary posts is allowed to count towards increment. It may be mentioned that even though according to these special orders they are considered as permanent servants for all purposes such as leave etc; that means that they are not holding permanent posts under the State of Bombay substantively till such time orders are issued to that effect. Leave of such Government Servants is regulated under the Revised Leave Rules 1933 as amended from time to time and leave salary is therefore calculated on the basis of average pay of 12 months in respect of the first 60 days of Earned Leave and 36 months in respect of Earned Leave thereafter vide Rule 14(1) (11) of the rules referred to above. Leave salary while on half pay leave is also regulated as per clause (11)(b) of sub-rule (1) of Rule 14 quoted above.

2. The officers however contend that in view of the ord -ers in Government Resolution Political and Services Department No.2735/46-F dated the 26th April 1950 they are to be considered as substantive holders of posts and consequently their pay should be considered as 'substantive pay' and leave salary while on earn -d leave regulated as provided in Rule 14(1)(1) of the Revised Leave Rules 1933 as modified by G.R. No.182 dated the 28th February 1950 while on half pay leave salary should be equal to half pay (i.e. half of pay drawn considering it as substantive pa

The point is therefore, reported to Government for orders.

3. If Government does not approve the procedure adopted by this office as stated in paragraph I above, it is requested that orders as to how the leave salary of such persons should be regulated may kindly be issued early.

Resolution:- A question has been raised by the Accountant General, Bombay, as to how the leave salary of permanent State servants absorbed in temporary posts or officiating in temporary or permanent posts should be regulated. In this connection the following types of cases regarding calculati-on of leave slary or absorbed State servants will arise:-

(1) Permanent State servants absorbed in permanent pos's and whose pay has been fixed;

(2) Permanent State servants absorbed in temporary posts and whose pay has been fixed;

(3) Permanent State servants absorbed in permanent pos:s but whose pay has not been fixed; and

4) Permanent State servants absorbed in temporary posts but whose pay has not been fixed.

Calculation of leave salary in respect of State servants covered by category (1) above presents no difficulty and no specific orders are necessary.

In regard to the cases of State Servants falling in the rest of the categories as per orders issued in Government Resolution Political and Services Department No 2735/46-F, dated the 26th April 1950 permanent State servants who have been absorbed in temporary posts have been treated as permanent for all purposes such as leave, Pension etc., and so for arriving at the amount of leave due and the amount of leave salary admissible to them durin such leave, they should be treated as substantive holders of posts even though technically appointed to temporary posts. Although in the cases of the State servants falling in categories (3)&(4) above, the pay drawn by them is provisional pending fixation of their pay the leave salary should be treated a s provisional subject to adjustment after their pay is finally fixed.

2. These orders as also the orders issued in Government Resolution Political and Services Department No 2735-46-F, dated the 26th April

1950, are applicable to ex-State servants in relation to the posts in which they have been absorbed only and not to the posts to which they may be subsequently appointed or promoted in an officiating capacity.

By order and in the name of the Governor of Bombay,
Sd/-G.Z.Vanjara,
Under Secretary to the Government of Bombay,
Political and Services Department.

G.R.P & S.D.No.2735/46-F, dated the 10th June 1953.

To
The Secretary to the Governor,
The Secretary to the Bombay Public Service Commission
The Secretary to the Chief Minister,
The Accountant General, Bombay (through the Finance Department)
The Deputy Accountant General, Baroda (through the Finance Department)
The Prothonotary and Senior Master, High Court, Bombay,
The Registrar, High Court, Bombay
The Finance Department,
All other Departments of the Secretariat (except the separate Department)
All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat)

* By letter.

No. of 1953.

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Copy forwarded for information and guidance to

Office of the
Commissioner for the Govt.of India
in British East Africa.
P.O.Box No.2274
Dated Nairobi the 24th July 1953.

Ref.No.F.103/51-I.S.

To

The Resident Under Secretary to the Government of Bombay,
Separate Department,Secretariat,Bombay Castle.
Subject:-Service book of Shri V.M.Tarabadkar.

Sir,

I am directed to refer to the Bombay Government letter No.14-A/733 of 1952 dated the 18th February 1952 onthe above subject.It is noticed from the letter that the Legal Department of the Governmmnt of Bombay has fixed the pay of Shri V.M.Tarabadkar at Rs.115/-in the grade of 85-5-140 E.B. -8-220 plus Rs.31/-as personal pay to be absorbed in the future increments with effect from 1-8-1949.This Mission has taken up the question of refixation of his pay on the above basis in the post which Shri Tarabadkar holds here.It is understood that the Legal Department fixed Shri Tarabadkar's pay in the aforesaid scale in accordance with the provisionsmade in the merger Rules framed in connection with the merging of the Baroda State into the Province of Bombay.This Mission would be grateful if a copy of the relevant merger rules is sent urgently as this is required in connection with his refixation of pay in the scale prescribed for the post held in this Mission.

Yours faithfully,
Sd/.M.Mazumdar,
Registrar
For Commissioner.

S.D.

The office for the Commissioner for the Govt.of India in the British East Africa.Nairobi.in his letter on page overleaf has requested to be supplied with a copy of the Merger Rules.As the order merging the State servants of the Baroda State have been issued by the P & S.D.these pps.may be referred u.o.to that Dept.with a request to supply a copy of the Merger Rules in respect of the absorption of the ex-state servants etc.and say whether the same may be supplied to the Commissioner who has asked for it.

Id.Illegible
13-8-53

Id.Illegible
19-8-53

U.O.R.to P & S.D.No.14-A/3486 d/- 22-8-53

P & S.D.

The L,D,may please see for remarks in the first instance in view of "A" overleaf and state under what RulesShri T's pay was fixed and may also pl.state whether there is any objection to his pay being fixed by the Mission on the basis of Merger Rules.

Id.Illegible
16-9-53
U.S. Id.Illegible
16-9-53
U.O.R.to L.D.d/.17-9-53

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Legal Department.
22610/21-9-1953.

Submitted.

2.Please see letter from the Commissioner for the Government of India in British East Africa and the S.D. and P & S.DD notes thereon.

3.With reference to P & S.D.u.o.r.at page 2 ante,that Department may be informed as follows:-

"The pay of Shri V.M.Tarabadkar has been fixed according to orders contained in G.R..P & S.D.No 2735/46-II,dated 20-5-1949.This Department has, however,no objection to Shri Tarabadkar's pay bein refixed by the Mission.

Sd/-
6-1053

S.S.
7/10/53

S.A.S.
7-10-53

Legal Department.

The pay of Shri V.M.Tarabadkar has been fixed according to the orders contained in G.R.P & S.D.No.2735/46-II,dated the 20th May 1949.This Department has.however,no objection to Shri Tarabadkar's pay being refixed by the Mission.

O.C.
Assistant Secretary to Government.
Legal Department.

Submitted for signature.

7/10/53

S.S.
8/10

S.A.S

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U.O.R.to P & S.D. No 20312/C,dated 8-10-1953.

Fixation of pay of non I.S.F.personnel absorbed in Government Service

GOVERNMENT OF BOMBAY.
Political and Services Department.
No.2735/46-II
Bombay Castle,28th October 1953.
RESOLUTION

Resolution:- A question has been raised asto under what Rules the pay of the Non-Indian State Forces personnel absorbed in Governmanh service should be fixed.Government is pleased to direct that the pay and seniority of the Non-Indian State Forces personnel absorbed in Government service should be fixed in accordance with the Rules made by Government from time to time for the fixation of pay and seniority of absorbed State servants.Heads of Departments are requested to forward to the Finance Department relevant details required for pay fixation such as Service Books orders of absorption cartre certificate etc.in respect of the Non-Indian State Forces personnel absorbed underthem.

By order and in the name of the Governor of Bombay,
Sd/-
Under Secretary to the Government of Bombay,
Political and Services Department.

To
The Accountant General,Bombay,) Through the Finance
The Deputy Accountant General,Baroda) Department.
The Finance Department.
All Departments of the Secretariat (except the Separate Deptt.)
All Heads of Departments.

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Stenographers in the Department of the Secretariat
Formation of a commor cadre of- ~~~ the purpose of confirmation

GOVERNMENT OF BOMBAY.
Political and Services Department,
Circular Memorandum No.SSS-1153-p,
Bombay Castle, 10th September 1953

CIRCULAR MEMORANDUM.

The attention of the Departments of the Secretariat is invited to Government Circular Memorandum, Political and Services Department, No.P-99, dated the 4th April 1952, and the Seniority list of Stenographers working in the various Deptt.s of the Secretariat accompanying it. The seniority of the Stenographers vis-a-vis Shri R.D.Khandekar from the Ex-State Kolhapur absorbed in the Legal Department as a stenographer has since been revised as per revised seniority list appended to this Circular Memorandum .The Departments are requested to bring the respective seniority to the notice of the Stenographers with whom they are respectively concerned.

2. The Departments of the Secretariat are requested to observe the instructions contained in paragraph 3 of Governmet Circular Memorandum Political and Services Department.No.P-99 dated the 20th April 1950 whenever clear vacancies in the posts of Stenographers occur.

By order and in the name of the
Governor of Bombay,
Sd/-
Under Secretary to the Government of
Bombay.
Political and Services Department.

To
All Departments of the Secretariat (except the Civil supplies Department and the Separate Department.)

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Revised list showing seniority of candidates selected in consultation with the Bombay Public Service Commission for the posts of Stenographers and allotted to the Departments of the Secretariat.

Name of the Stenographer.	Name of the Department in which the candidate is working at present.	Date of joining.
1. Shri V.V.Ujagare	Finance Department	18th December 1945
2. Shri H.S.Nargund	Development Department (on deputation to the Government of Hyderabad)	22nd November 1945
3. Shrimati Zora Zimmons	Local Self Government and Public Health Department.	15th April 1947
4. Shri R.D.Khandekar	Legal Department (Ex-Kolhapur State employee)	11th July 1949
5. " R.D.Navak	Public Works Department	1st August 1947
6. " B.K.Mainkar	Finance Department	13th August 1947
7. " V.B.Bhinge	Political and Services Department.	2nd February 1948
8. " G.B.Oak	Finance Department	1st March 1949
9. " B.S.Mudapur	Revenue Department	18th August 1950
10. " K.K.Kotwal	Political and Services Department	10th August 1949
11. " S.A.Pitale	Home Department (on deputation to the Civil Supplies Department.)	
12. " B.J.Fernandes	Development Department	2nd December 1949
13. " Y.N.Kaulas.	Education Department.	26th November 1949
14. " G.P.Hoskote	Home Department	8th November 1950
15. " P.R.Kokil	Public Works Department	1st December 1950
16. " P.S.Khutale	Rehabilitation Department	2nd February 1951
17. " D.D.Athalye	Chief Minister's Office	13th March 1952
18. " R.Rajgopal	Revenue Department	15th September 1952
19. " P.Subramaniam	Political and Services Department	14th November 1952